



## Criminal Justice Coordinating Council

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Attorney General Derek Schmidt, Chairperson  
Clay Britton III, Vice-Chairperson (Governor's Designee)

Approved April 22, 2020

**Kansas Criminal Justice Coordinating Council**  
**900 SW Jackson, Landon Building, 5<sup>th</sup> Floor Conference Room**

**Topeka, Kansas 66603**

**Minutes of October 1, 2019**

**9:00 A.M.**

### **Council Members in Attendance**

Clay Britton, Governor Designee and Vice-Chairperson  
Steve Karrer, Representing Attorney General and Acting Chairperson  
Colonel Herman Jones, Superintendent of the Kansas Highway Patrol  
Amber Smith, Chief Justice of the Supreme Court Designee  
Kirk Thompson, Director of the Kansas Bureau of Investigation  
Jeff Zmuda, Acting Secretary of Kansas Department of Corrections

### **Kansas Governor's Grants Program Staff in Attendance**

Julienne Maska, Jill Stewart, Jocelyn Scott, Jamie Bowser, Kim Gerety, and Erica Haas

### **Others in Attendance**

Ed Klumpp representing the Kansas Association of Chiefs of Police, the Kansas Sheriffs' Association, and the Kansas Peace Officers Association  
Eric Montgomery, Office of the Attorney General  
Victor Hercules, Steve Riach, and Jim Clark, One Heart Project  
Lisa Hyten and Darrel Chapman, Jackson County Sheriff's Office  
Audrey Cress, Office of Victim Services, Kansas Department of Corrections  
Desiree Monize and Matt Thomas, Avenue of Life  
Randy George and Chanelle McKinley, Village Initiative  
Carl Hughes, Brothers in Blue Reentry  
John Calhoon, Horton Police Department  
Terry Clark and John Hurla, Prairie Band Potawatomi Tribal Police Department

### **Welcome**

Steve Karrer, Acting Chairperson for the Attorney General, called the meeting to order at 9:02 a.m. and welcomed all in attendance. Mr. Karrer asked the Kansas Criminal Justice Coordinating Council (Council) members and guests to introduce themselves.

## **Approval of July 29, 2019, Minutes**

Director Thompson made a motion to approve the July 29, 2019, minutes. Col. Jones seconded the motion and it passed. Ms. Smith and Mr. Brittan abstained from voting because they did not attend the July 29, 2019, meeting.

## **Discussion of Fiscal Year 2020 JAG Grant Applications**

Jill Stewart introduced the Kansas Governor's Grants Program (KGGP) staff and provided an overview of the available Edward Byrne Justice Assistance Grant (JAG) funding and the federal allocation requirements. Ms. Stewart explained JAG grant funds are awarded in two pools of money: 1) directly to local governments; and 2) to the states, administered as a pass through to state and local governments and non-profit organizations. Ms. Stewart said there were 36 applications requesting a total of \$4,037,508 with a maximum of \$2,585,572 available to award (FY 2020 JAG Requests: Attachment 1; 2020 JAG Applications by Reviewer Recommendation: Attachment 2).

Ms. Stewart reminded the Council the JAG funds are provided to criminal justice system partners to address crime and improve public safety. Applicants must request funds for use in one or more of the following eight purpose areas: law enforcement programs; prosecution and court programs, including indigent defense; 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); and mental health programs and related law enforcement and corrections programs.

Ms. Stewart also said in June 2019, the Council approved the five-year Kansas Statewide Strategic Plan (Plan) for administration of JAG. The Plan identified the following three funding priorities: evidence-based practices that improve the criminal justice system response to mental illness; evidence-based practices to enhance drug enforcement and workforce retention for law enforcement; and evidence-based programming to provide prevention and education on crisis intervention, mental health, substance abuse, suicide, and juvenile delinquency. All applicants were directed to review the Plan.

Ms. Stewart said for the federal funds awarded directly to local governments, the Department of Justice (DOJ) applies a formula to determine the amount of money each local jurisdiction would be eligible to receive. After the formula is applied, if the local jurisdiction would get less than \$10,000 they do not receive money directly from the DOJ, but the State is required to give those jurisdictions priority in the state grant funding process. The summary sheet identifies those applications.

The pass-through funding is distributed to local governments only, unless a non-profit organization obtains a waiver from the local government indicating the local government acknowledges they receive a benefit from the proposed project and agrees funding the project is in their best interest. KGGP tracks this requirement. After those set-aside requirements are met, any remaining money is available for the Council to award at its discretion.

Ms. Stewart explained the handouts provided to the Council. The first handout is a break-down of funding recommendations from the outside grant reviewers indicating full funding, partial funding,

or denial of funding (Attachment 1). The second handout is a list of applicants including a brief description of the application, outside reviewer rankings, and staff comments (Attachment 2).

Mr. Karrer asked Ms. Stewart to explain the ranking columns provided on both handouts. Ms. Stewart said the outside reviewers were asked to rank various aspects of the applications on a scale of 1 to 5 and to rank each application as a whole from 0 to 25.

The Council reviewed the list of applications the outside reviewers recommended for full funding.

Director Thompson made a motion to preliminarily approve all law enforcement applications the outside reviewers recommended for full funding and had complete applications (Applications: 3-El Dorado Police Department [with staff correction to mathematical error], 7-Graham County Sheriff's Office, 19-Marysville Police Department, 21-Coffeyville Police Department [correct equipment threshold], and 22-Pottawatomie County Sheriff's Department). Acting Secretary Zmuda seconded the motion and it passed unanimously.

Col. Jones made a motion to preliminarily approve all applications outside reviewers recommended for full funding in the non-law enforcement category with complete applications. (Applications: 4-Northwest Kansas Community Corrections, 10-10<sup>th</sup> Judicial District Court, 24-28<sup>th</sup> Judicial District Community Corrections, and 34-Kansas Department of Corrections – Office of Victim Services (KDOC-OVS).) Mr. Britton seconded the motion and it passed unanimously.

Col. Jones made a motion to revoke the previous vote and make a new motion to only approve applications 4, 10, and 24. Ms. Smith seconded the motion and it passed unanimously.

Ms. Smith made a motion to preliminarily approve application 34. Col. Jones seconded the motion and it passed unanimously, except Acting Secretary Zmuda abstained from the vote.

Mr. Karrer asked whether a position that is allowed from one grant year to the next is supplanting. Ms. Stewart said it is not supplanting. It would be supplanting if the position already existed and was funded by another source and the JAG grant money would be replacing the existing funding for the position.

Acting Secretary Zmuda discussed approving the non-profit applications recommended for full funding by the outside reviewers (Applications: 14-Brothers in Blue Reentry and 35-Avenue of Life).

Mr. Karrer asked why the Brothers in Blue Reentry application recommendation was less than the requested amount. Ms. Stewart said the application included grant writing for a funded position which is unallowable. Carl Hughes, Executive Director of Brothers in Blue Reentry, said the staff position will not use JAG funds to write grants or fundraise. Ms. Maska recommended Brothers in Blue Reentry rewrite goals and objectives as a special condition to reflect same.

Mr. Karrer raised the same issue of a funded position engaging in grant writing in Avenue of Life's application. Desiree Monize, Chief Executive Officer for Avenue of Life, assured the Council the grant-funded positions would not engage in grant writing.

Acting Secretary Zmuda made a motion to preliminarily approve applications 14 and 35 at the maximum recommendation with the special condition both applicants rewrite grant goals and

objectives to remove unallowable activities. Director Thompson seconded the motion and it passed unanimously.

Director Thompson made a motion to preliminarily approve law enforcement applications recommended for full funding by the outside reviewers with an incomplete application notation with a special condition the applicants submit missing information (Applications: 1-Horton Police Department, 8-Jackson County Sheriff's Office, and 20-Cherryvale Police Department). Director Thompson said the items missing from these three applications do not appear to be fatal omissions. Col. Jones seconded the motion and it pass unanimously.

Application 23, Lyons Police Department, appears to have a typo in the requested amount and is significantly incomplete. No motion was made.

Mr. Britton made a motion to preliminarily approve the maximum recommendation for application 16, 5<sup>th</sup> Judicial District Court, which is flagged as slightly incomplete, with the special condition the applicant submit missing information. Col. Jones seconded the motion and it passed unanimously. Mr. Britton and Mr. Karrer noted the good rankings the application received from outside reviewers.

Director Thompson made a motion to approve application 28-Episcopal Social Services, at the maximum recommended funding with the special condition the missing information is submitted. Mr. Britton seconded the motion and it pass unanimously. Director Thompson said the items missing from the application do not appear to be a fatal omission.

Mr. Karrer said all applications with special conditions attached to approval should be reflected in the final recommendations.

The Council next considered the list of applications which the outside reviewers recommended partial funding.

Director Thompson made a motion to preliminarily approve law enforcement applications for the partial amount recommended by outside reviewers (Applications: 2-Sac & Fox Nation of Missouri in KS & NE, 9-Praire Band Potawatomie Tribal Police, and 15-Linn County Sheriff's Department). Col. Jones seconded the motion and it passed unanimously.

Ms. Smith made a motion to preliminarily approve application 27-City of Wichita Police Department, for the full amount recommended by staff. Col. Jones seconded the motion. Mr. Karrer asked why staff recommended an amount less than requested. Ms. Stewart said staff removed from the grant request a vehicle and specific non-essential items in the supply line such as table clothes, a banner, and a TV. The motion passed unanimously.

The Council discussed application 33-KDOC. The application is missing some required federal information. The maximum recommendation is based on reviewer comments. Acting Secretary Zmuda said this is a project that was awarded a JAG grant last year. Reviewer recommendation is \$34,425 (contractual amount for housing). No motion made.

The Council next discussed non-profit applicants that outside reviewers recommended for partial funding (Applications: 11-One Heart Project, 17-Kansas CASA Association, 18-SOS, 25-Western

Kansas Child Advocacy Center (incomplete), 29-Kansas Big Brothers Big Sisters, 30-Via Christi Hospitals Wichita, 31-Wichita Area Sexual Assault Center (WASAC), and 32-Kansas Coalition Against Sexual and Domestic Violence (KCSDV)).

Mr. Britton made a motion to preliminarily approve the maximum recommended amount for application 17-Kansas CASA Association, 18-SOS, and 32-KCSDV. Mr. Britton noted these are complete applications. Col. Jones seconded the motion and it passed unanimously.

Mr. Karrer is concerned about supplanting in application 29-Kansas Big Brothers Big Sisters. Mr. Britton asked staff if the applicants receive feedback after the review process is complete. Ms. Maska said feedback is provided upon request.

Mr. Karrer recessed the meeting at 10:38 a.m. and reconvened at 10:56 a.m.

Ms. Stewart updated the Council on the current preliminary approvals of \$1.9 million. Currently these approvals meet the required threshold of funding the smaller jurisdictions. Ms. Stewart also said in aggregate there is about \$500,000 left to award if the Council makes final awards based on the preliminary recommendations. The Council also has \$142,000 in discretionary funds available to award. It is possible to fund a non-profit applicant with the local portion of funding if the non-profit has a waiver from the commissioners in the county in which the non-profit serves indicating the county acknowledges they receive a benefit from the proposed project and agrees funding the project is in its best interest.

Director Thompson noted the outside grant reviewer stated application 31-WASAC does not fall under any of the JAG purpose areas. Director Thompson also said the application does not fall within the scope of purpose areas because it is a request for fringe only.

Mr. Karrer said application 29-Kansas Big Brothers Big Sisters has supplanting issues and no one is present from the agency to answer questions.

Mr. Britton asked from which pool of funding application 11-One Heart would have access to because it has three of five commissioner waivers. Ms. Stewart said 60 percent could come out of pass-through funding and 40 percent would come out of discretionary funding. Ms. Stewart said applicant 25-Western Kansas Child Advocacy Center (WKCAC) has 97 percent of the county waivers; therefore, 97 percent would come out of pass-through funding and three percent out of discretionary funding.

Director Thompson clarified application 25 is not a new project and moved to preliminarily approve the request in full. No second. Mr. Britton suggested reviewing One Heart, Via Christi, and WASAC because these applications received a higher ranking from outside reviewers than did WKCAC. Mr. Karrer said WKCAC is essentially the sole resource for interviewing children in abuse and neglect cases in western Kansas.

Mr. Britton made a motion to preliminarily approve application 25 at the full requested amount with a special condition to complete the application. Acting Secretary Zmuda seconded the motion and it passed unanimously.

Outside grant reviewers noted possible overlap of duties in two positions on application 11-One Heart. Steve Rich from One Heart was present in the audience and responded the requested project was approved last year with the same positions. The request includes a \$5k increase because One Heart is expanding its service area and it is not possible to merge two positions. Mr. Rich also said he thinks he could obtain waivers from the two counties One Heart serves that are missing from the application (Johnson and Wyandotte).

Mr. Karrer asked staff if the Council ever made an award with the condition of getting additional county waivers. Ms. Stewart said she does not recall the Council taking such action.

Mr. Britton said the outside reviewer indicated application 30-Via Christi did not make a strong case for a new nurse position.

Ms. Stewart said about \$50,000 could be made available for funding if the new position is removed from application 34-KDOC-OVS.

Mr. Karrer asked staff to provide the amount needed to fund the position in application 33 KDOC. Ms. Stewart replied \$67,311.

Mr. Britton suggested awarding the 2019 level of funding for applications 29, 30, and 31. Ms. Stewart said that approach would not change the amount of money available for the remaining applications.

Mr. Karrer said Brothers in Blue Reentry is not eligible to get county waivers because they do not serve citizens of the county.

Mr. Karrer asked a representative from Brothers in Blue Reentry about positions listed in its application. The representative responded all positions are continuing except for one, which is new to expand into the women's facility in Topeka. The application includes an increase from last year's application to fund the new position and cover the cost of expanding into the women's facility. In addition, when JAG funds were awarded last year, funding for only half the year was needed. The current application is requesting the position be funded for a full 12 months. Ms. Stewart said the total amount of the application request without the new position would be \$242,062.

Mr. Britton made a motion to preliminarily approve application 11-One Heart for the full amount requested with a special condition the applicant will obtain the two county waivers it is missing, and if the waivers cannot be obtained the applicant will submit an amended application to only use grant funds in the three counties where waivers were obtained. Col. Jones seconded the motion and it passed unanimously.

Ms. Stewart said application 35-Avenue of Life requests funding for one new position and one existing contractual position. If the new position were removed, the request amount would be \$159,130. These funds would be pass-through because the applicant has obtained a waiver from the county.

Mr. Karrer suggested only approving the existing position in application 33-KDOC, subtracting about \$67,000 and remove the new position from application 34-KDOC-OVS, subtracting about

\$55,000. Acting Secretary Zmuda agreed to these suggestions but will abstain from the vote. The revised recommended amount for application 34 would be \$182,727.

Col. Jones made a motion to preliminarily approve only the existing position in application 33-KDOC and remove the new position from application 34-KDOC-OVS. Director Thompson seconded the motion and it passed unanimously. Acting Secretary Zmuda abstained from the vote.

Break 12:25 p.m. to 12:34 p.m.

Ms. Stewart said \$155,365 is still available in discretionary funding and \$135,504 is available for pass-through funding to locals.

Mr. Karrer said application 32-KCSDV has an existing position but has not received JAG funding in the past. Ms. Stewart confirmed KCSDV has not previously received JAG funding; and noted the Violence Against Women Act Prison Rape Elimination Act designation set aside, which previously funded the requested position, has ended.

Col. Jones made a motion to preliminarily fund application 30-Via Christi at \$120,000. Acting Secretary Zmuda seconded the motion and it passed unanimously. Ms. Stewart said Via Christi could apply for VOCA funding because it provides direct services to victims of crime.

Director Thompson made a motion to fund only supplies (drug enforcement covert ear pieces and mobile undercover car kits) requested in application 36-Unified Government of Wyandotte County/Kansas City, Kansas for \$12,056. Mr. Britton seconded the motion and it passed unanimously.

### **Approvals**

Mr. Karrer suggested including in all applicable approvals a special condition requiring any application marked as incomplete to complete the application and correct errors or omissions. Mr. Karrer also suggested if applications 14 and 35 are approved, the goals and objectives be rewritten. Additionally, if application 11 is approved, waivers must be obtained and if not, the grant be rewritten to only include the three counties from which waivers were received.

Director Thompson made a motion to approve the following applications and the corresponding amounts with the condition all applicants submit missing information, applicants 14 and 35 rewrite goals and objectives, and applicant 11 obtain waivers and if unable to obtain waivers then rewrite the grant request to include serving only the three counties from which waivers were received:

1 – \$24,890

2 - \$34,650

3 - \$34,399

4 - \$87,837

7 - \$48,750

8 - \$129,399

- 9 - \$32,961
- 10 - \$20,000
- 11 - \$236,910
- 14 - \$276,599
- 15 - \$71,265
- 16 - \$43,212
- 17 - \$34,396
- 18 - \$54,342
- 19 - \$28,708
- 20 - \$45,306
- 21 - \$44,990
- 22 - \$149,196
- 24 - \$83,690
- 25 - \$160,000
- 27 - \$95,633
- 28 - \$74,287
- 30 - \$120,000
- 32 - \$68,000
- 33 - \$67,311
- 34 - \$182,727
- 35 - \$226,656
- 36 - \$12,056

Col. Jones seconded the motion and it passed unanimously. Director Thompson made a motion to revoke the previous vote and Col. Jones seconded and it passed unanimously. Director Thompson made a motion to approve the above list with the same conditions as in the previous motion except applications 33 and 34. Mr. Britton seconded the motion and it passed unanimously.

Col. Jones made a motion to approve applications 33 and 34, as said above. Director Thompson seconded the motion and motion carried with Acting Secretary Zmuda abstaining.

Mr. Britton clarified the amount of money not appropriated is an appropriate amount. Ms. Stewart confirmed.



Mr. Britton made a motion to deny applications 5, 6, 12, 13, 23, 26, 29, and 31. Col. Jones seconded the motion and it passed unanimously.

Mr. Karrer asked if any of the denied agencies had a representative present at the meeting. No one responded.

Mr. Karrer said there was no new business and the next meeting is not scheduled. Ms. Maska said KGGP staff will contact Attorney General Schmidt to schedule the next meeting.

Col. Jones made a motion to adjourn and Acting Secretary Zmuda seconded the motion and it passed unanimously.

Adjourned at approximately 1:08 p.m.

Minutes prepared by KGGP Staff