



Criminal Justice Coordinating Council

Attorney General Derek Schmidt, Chair
Governor Jeff Colyer, Vice-Chair

Approved July 29, 2019

**Kansas Criminal Justice Coordinating Council
Kansas Department of Corrections
714 SW Jackson, 3rd Floor Conference Room
Topeka, KS 66603
November 20, 2018**

Minutes

Council Members in Attendance:

Derek Schmidt, Attorney General
Joe Norwood, Secretary of Corrections
Kirk Thompson, Director of the Kansas Bureau of Investigation via phone
Kelly O'Brien, Chief Justice of the Supreme Court Designee, substitute for Justice Caleb Stegall
Brant Laue, Governor Designee

Council Members not in attendance:

Col. Mark Bruce, Superintendent of the Kansas Highway Patrol

Others in attendance:

Eric Montgomery, Kansas Attorney General's Office
Brian Clark, Kansas Attorney General's Office
Steve Riach, One Heart Project
Victor Hercules, One Heart Project
Jimmy Holt, Cherryvale P.D.
Eli Norris, Jackson County Sheriff
Brooke Carroll, City of Cherryvale
Jay Carroll, City of Cherryvale
Jesse Reed, City of Cherryvale
Terry Clark, Potawatomi Tribal Police
Lisa Hyten, Jackson County Sheriff Office
Ed Klumpp, KACP KSA KPOA
Nathan Grey, Kickapoo Tribal Police
John Calhoon, Horton Police Dept.

Staff in Attendance:

Jill Stewart, Governor's Grants Program
Shawn Cowing, Governor's Grants Program
Caroline Wroczynski, Governor's Grants Program
Earl Glase, Governor's Grants Program



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Welcome

Chair Schmidt called the meeting to order at 9:01 a.m. and welcomed all in attendance.

August 20, 2018, Minutes

Director Thompson requested one correction to the minutes, that he was in attendance via phone, and not in person.

Chair Schmidt made a motion to approve the August 20, 2018, minutes with correction. Mr. Norwood seconded the motion and it passed unanimously.

Review of FY 2019 JAG Applications

Mr. Cowing introduced the Kansas Governor's Grant's Program (KGGP) staff and explained that while the Council met in 2017 to discuss the 2017 allocations for approval of grant funds, federal dollars were not released until the end of the grant year. Moving forward for approvals, fund from 2015, 2016, 2017, 2018, and 2019 are available. Mr. Cowing explained that there were 45 applications requesting \$4,628,890.00 and there is \$3.7 million available to award. An explanation of the documents provided to the council for use in reviewing applications was given. One document contained projects that were approved last year and another document with new applicants. The council discussed if they could bulk motion to approve each of the 49 items minus those where the scope has changed for 2018, or bulk approve those that had prior approval. The council decided that they would need to go through each application, regardless and began review with the document containing the approved applicants from 2017. Chair Schmidt began the review with the document of applications that had been approved in 2017.

Application 1: Mr. Glase noted the cost difference from 2017 to 2018 application is a change in cost of equipment. A representative from Brown County Sheriff's Office was present and confirmed that that was the only change in application. Mr. Laue made a motion to approve at the 2019 level. Director Thompson seconded. Motion carried.

Application 2: A representative of the Horton Police Department present noted that the equipment costs had increased and were because of the change in model of computers and tasers. Mr. Laue made a motion to approve at the 2019 level. Director Thompson seconded. Motion carried

Application 6: Mr. Glase noted the change in the application was the addition of a surveillance office. Mr. Laue moved to approve at 2019 level. Director Thompson seconded. Motion passed.

App 8: Director Thompson noted the difference in cost and the staff comment on the application notes in the document. Representatives from Jackson County Sheriff's office were present, and Eli Norris commented that the scope was the same, but the equipment was



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different. There was a question on what the amount would be with the match included. Ms. Stewart said she could get those numbers, but it would be a moment. There was further discussion on reviewers' comments. Chair Schmidt decided to pass over this application and review it again after the break and the numbers could be sorted out.

App 10: Noted that there was only a difference in equipment cost. Mr. Laue moved to approve at 2019 level. Director Thompson seconded. Motion carried.

App 11: There was discussion on the difference in the amount requested and the amount that was approved in 2017. KGGP staff noted that the costs were prorated in 2017 and that personnel costs were different as well. Mr. Laue moved to approve at \$68,414, which would be enough to fund one position. Mr. Norwood seconded. Discussion on movement: Ms. Stewart noted that it would need to be prorated for the start of December 1st. It was recommended that funding would be to fill it for the most. Motion carried.

App 13: Mr. Glase noted the increase was for the addition of a position from the 2018 application. A representative of One Heart Project was invited to speak. Mr. Hercules explained that the need for the position was because of the increase of number of kids they are helping and increased ten-fold and they need additional support. Director Thompson there was a concern on supplanting and if that had been resolved. There was discussion with the KGGP staff on the supplanting. Mr. Norwood asked Mr. Hercules if they had looked at work with the counties for grants from the Evidence Based Program and Mr. Hercules said they had not. After further discussion on the positions, Chair Schmidt made the decision to pass over at this time and to come back after more numbers could be presented by KGGP staff.

App 15: Mr. Cowing mentioned that Brothers in Blue Reentry was still struggling but doing their best to keep goals and objectives and overall do their best to manage their grants. The KGGP staff suggests a proration for the position. Mr. Norwood noted that they have an active role in a number of facilities and are active in fundraising to help as well. Mr. Laue moved to fund at \$140,107. Mr. O'Brien seconded. Motion carried.

App 17: Mr. Glase noted that there was a change of scope to the application, but nothing of note otherwise. Mr. Laue moved to fund at \$41,434. Director Thompson seconded. Motion carried.

App 19: KGGP staff explained the increase for cost over time. Director Thompson moved to approve at 2019 level. Mr. Norwood seconded. Motion carried.



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App 20: Council asked for reasoning in amount requested. Mr. Glase explained it was the equipment request, they are requesting a different brand and the cost went up on other items. Director Thompson moved to approve at 2019 lever. Mr. O'Brien seconded. Motion carried.

App 23: KGGP explained the application addressed a change and staff and different equipment. Mr. Laue moved to approve at the staff recommended amount of \$62,655. Mr. O'Brien seconded. Motion carried.

App 24: Mr. Laue moved to approve at \$48,881 level. Mr. O'Brien seconded. Motion carried.

App 25: Discussion on increase of request. Mr. Glase explained it was for material cost change in project, increase in training costs, and travel costs except for DOJ. Director Thompson moved to go with approved request from last year for \$21,375. Mr. Cowing mentioned the staff recommended amount was \$25,436 if prorated. Mr. Laue moved to go with staff recommended level of \$25,436. Director Thompson seconded. Motion carried.

App 26: Mr. Glase was asked to discuss application. Mr. Glase explained that it was for travel and trainers to come in and that this request was not on their last application. New and old equipment requests for CAD server, hardware and software configuring, and for licensing. Mr. Laue moved to approve at 2018 level. Mr. O'Brien seconded. Motion carried.

App 31: KGGP staff explained the increase was for salary and fringe costs. Mr. Laue moved to approve at 2019 level. Mr. Norwood seconded. Motion carried.

App 32: KGGP staff clarified that amount request difference was for equipment costs. There was not travel and training and third-party products approved. Mr. Cowing informed the council that the staff recommendation was for \$66,230. Ms. Stewart shared that they did not provide any budgeting detail. Chair Schmidt noted that it is an amount less than what was approved last time and the Council could use last approved amount. Mr. Laue moved to fund at \$73,380. Mr. O'Brien seconded. Motion carried.

App 34: Mr. Glase explained the request increase was for a change in equipment, including fingerprint kits and funding for the creation of a Victims' Service Center: chairs, tables, changes to the building Mr. Glase clarified that infrastructure is not approved under JAG. It was discussed on if the application needed to be discussed since some of the application is not even eligible for JAG? The Council and KGGP staff agreed it was, because of the other items that were. Director Thompson stated that looking at had been decided prior and what we could fund, so moved to approve funding of \$179,100 with a caveat that if more funds were available after reviewing all applications, there would be a possibility of adding more. Mr. Norwood seconded. Motion carried.



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App 35: Mr. Laue moved to fund at staff recommended amount of \$63,771. Mr. Norwood seconded. Motion carried.

App 39: Council asked for clarification. Mr. Glase explained it was for all staff, including forensic nursing, and for contracting to review results. Director Thompson moved to fund at staff recommended amount of \$173,991. Mr. Laue seconded. Motion carried.

App 40: Chair Schmidt asked Mr. Norwood if the KSDOC get everything they wanted. Mr. Norwood responded no. They are looking to increase their Batterers Intervention Program and add a position. Mr. Cowing stated that they would prorate the position to 10 months. Mr. Laue moved to fund at staff recommended amount of \$191,982. Director Thompson seconded. Mr. Norwood abstained from voting. Motion carried.

App 42: Mr. Glase stated there was a change in cost and amount of equipment requested. Mr. Laue moved to approve at 2019 level. Director Thompson seconded. Motion carried.

App 43: Mr. Laue moved to approve at 2019 level. Mr. Norwood seconded. Motion carried.

App 45: There was discussion on the amount from 2017 being what was left. Discussion on what could be covered in 2018. Director Thompson moved to go with staff suggested amount of \$169,971. Mr. Norwood seconded. Motion carried.

Chair Schmidt addressed Ed Klumpp and asked him if he felt the Council had been fair in their decisions to this point. Mr. Klumpp thanked the Council for their time and concurred that the decisions had been fair.

The Council called for a recess at 10 a.m. to give Ms. Stewart and KGGP staff a chance to run current numbers based on decisions so far today and offer those in attendance a break and to reconvene at 10:20.

Chair Schmidt asked Ms. Stewart for an update on funds available after the first half of the day's meeting. With those numbers discussion went back to applications 8 and 13. Ms. Stewart moved that application 8 be funded at \$70,623. Mr. Norwood seconded. Motion passed.

With discussion moving back to application 13, Mr. Glase stated that the positions stated in the application would be new positions, so there would be no supplanting. Mr. Cowing said it would be \$222,742 with prorating. Mr. O'Brien verified that the positions were not hired, but that they did have applicants in mind and named to hire if funded. There was further discussion on two new positions, whether to consider the positions as a new, separate request, and that



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staff recommendation amount only includes one or both positions filled, and if they are prorated. Director Thompson suggested a motion to approve the one application at \$132,830 and then review the two positions in a new request. Mr. Hercules from One Heart Project stated that the 2017 application was for ten times fewer kids than what they are currently asking for in 2018. Chair Schmidt explained that the Council would approve the base level and assured that the Council would come back to the funding of the positions. Director Thompson moved for funding of \$132,830 and will refer to the additional funding of positions after further discussion. Mr. Norwood seconded. Motion carried.

Director Thompson requested further discussion on application 26. Director Thompson informed the Council that over the break he was informed that with application 26, that if the Council removed a piece of the project, that it would not work. Moved to reconsider amount to that of the grant request. Mr. O'Brien seconded. Motion carried. Discussion was held by the Council. Director Thompson moved that the Council approve the requested amount with appropriate amount deducted by KGGP staff for travel. Mr. O'Brien seconded. Motion carried.

Chair Schmidt asked for an update on funds still available to disperse and how much needs to go to non-state agencies. KGGP explained that they would need a little time to add up with the thresholds based on the Advisory Council's recommendation, but there was \$1,707,683.00 left to divvy out if everything was obligated today. Discussion was held on amount needed to cover all applications in the full/full category.

While KGGP staff worked on possibly outcomes Mr. Klumpp asked the Council to explain what was happening for the other attendees in the audience. Chair Schmidt explained the documents that the Council and KGGP staff had and the plan to go through them.

Mr. Cowing shared that there was \$423,326 and calculating staff recommendations they would have \$407,513.

Chair Schmidt addressed the council with what their pleasure would be for the seven applications on the full/full list. Mr. Laue moved to approve all seven at staff recommended levels. Mr. O'Brien seconded. Mr. Norwood abstained from voting because DOC was in the batch of seven. Discussion was had where Director Thompson wanted to make sure the council was aware that Lansing PD's application was substantially incomplete. Mr. Glase explained that the nature of the incomplete was due to format of application, lack of activity, time frames, and headings and it was very short. Director Thompson mentioned that they are trying to get records delivered into the KBI depository. Discussion was held on grantees needing to be compliant with the KBI to receive funding and that Director Thompson would make note of them when they are being considered.



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Chair Schmidt reminded the Council that the motion was still out to approve all seven of the full/full at the staff recommendation. Mr. O'Brien addressed the application missing information and if KGGP sends it back to them if they are missing things. Mr. Laue made the suggestion to send the application back to Lansing and have them update and complete the application. Chair Schmidt modified his motion to spend \$407,513 on the seven with the staff recommended levels contingent with staff contacting Lansing PD and Lansing PD correcting their application. Mr. Norwood abstained from voting.

Chair Schmidt requested what funding would be left if Council approved all seven and moved discussion to the five applications left in the full/partial until Ms. Stewart could provide that number.

App 5: Mr. Glase explained it was the same application as last year. Not sent for additional review for tower because of infrastructure limitations issue. They are asking for materials to put on the tower, which is already up, in this application instead.

App 12: Council asked why application was noted as incomplete and Mr. Glase explained it was because there was no executive summary, they didn't follow format, and no headings.

App 22: Application is asking for body cameras, it is missing federal certification forms, however. Mr. Carroll, of Cherryvale Police Department, explained that the police dept and fire department are working together to meet the needs of the community. The application is asking for scanners, upgrade on cameras, and will work on federal certification forms. Director Thompson stated that they were in KBI compliance.

App 38: Mr. Glase explained this application was for training for trauma informed response.

App 44: Mr. Glase discussed how this application was for equipment for the department to transfer to an 800 MHz radio system, but that the application was missing everything. Mr. Cowing stated that it only had a narrative and was missing all other requirements. There would be nothing for them to go back and fix because it would mean they would basically have to submit a new application.

Chair Schmidt checked in with Ms. Stewart to see if she had any updated numbers and she stated that for the seven full/full with the differenced for applications 13 and 25 would be \$405,772 at requested amount. With those numbers Chair Schmidt opened discussion with the Council to approve all seven again or do something else. Mr. Laue moved to approve additional under full/partial with the exception of Wellington (Application 44). Director Thompson seconded. Chair Schmidt walked through all amounts. Motion carried.



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Discussion was held on next batch of applications while Ms. Stewart worked on updated numbers. Director Thompson noticed that application 30 in deny/deny it looks like they gave the whole department's budget and they are really only asking for \$24,000. The Council and KGGP staff agreed that was a fair way to interpret the application.

App 3: Mr. Glase stated that the application is asking for rifles, uniforms, cars, training, cameras, and computers. The cars are not allowable under JAG. The training is for long range rifles. A representative of the Kickapoo Tribal Police, Mr. Gray, addressed the Council. He explained that they had originally asked for these at the Federal level and was told to ask at the State level. They have equipment but need to be in compliance, so they need the training. Computers are broken down and not working. Everything in the department is outdated and they are trying to bring things up to date. It was mentioned that the application also is asking for \$22,000 for ATVs, and the Council again addressed that they cannot cover costs for vehicles. Director Thompson stated that while it is not required for tribal police to submit to the KBI under state law that it was the rule of the Council that they be in compliance. Mr. Gray stated that they did submit to the Federal level.

The Council moved on to application 33. Mr. Laue noted that they had been approved in 2017, but they were not discussed with the other approved applications from 2017. Ms. Stewart explained that when notified that the KGGP couldn't extend the funding while waiting for the DOJ to release funds, WKCAC obtained funding through other grants. Now they are asking for one position to be back under JAG and everything else in the application is different than what was funded in the past.

App 7: Mr. Glase explained that they are looking for a digital ticket writer, equipment, and training.

App 18: Application was for communication out reach.

App 37: Mr. Glase shared that this was a unique application as it was wanting funding to provide community workshops to help the perception of police. The application was incomplete with no goals and no formatting.

App 4: Application asking for equipment (cameras) and training. Mr. Glase explained that the application was lacking.

App 9: Mr. Glase explained that they were looking to update radios for service in rural areas and provide for the fire department as well. The representative from the Prairie Band Potawatomi Tribal Police, Chief Clark, addressed the Council and explained that the current radio system was 12 years old and that the current service provider would not be able to



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service them in 9 months. They have asked the tribe to help with replacing infrastructure. There is a worry that it will not get replaced in a timely manner and they would lose the ability to communicate with neighboring communities in emergencies. They also have a lot of reporting functions at the federal level, but state will go through the portal.

App 36: Mr. Glase described the application as containing positions, some with match in certain areas, that support people and for supplies.

App 30: Chair Schmidt reminded the Council that this was the application that they were reducing to \$24,000. Mr. Glase explained that the funding requested was to update their data management system. Director Thompson mentioned that the department hasn't been compliant since 2012, but what they are asking for in the application would help bring them into compliance.

The Council asked the KGGP for amounts and totals if the last 9 were funded. While giving the KGGP staff time to tally the numbers Chair Schmidt addressed the audience in explaining the delay in funding last year and that sanctuary city language would be in the grant documents this time. Mr. Clark with the AG's office, Mr. Cowing, and Chair Schmidt discussed the certification that the state and offices will need to fill out and the deadlines for the forms, who needs to sign what forms, and any repercussions if they are not signed.

With funding totals figured, discussion began again on the applications and if they can be pass through or another stream.

App 3: If removed cars and ATVs, \$99,423, house dispatch \$78,686.

App 33: They have waivers, so can count as passthrough.

App 7: Can be pass through.

App 18: Will need to be discretionary.

App 33: Director Thompson moved that it is funded at the staff recommended level of \$146,582. Mr. O'Brien seconded. Motion carried.

App 7: Mr. Cowing stated that they just need to verify the costs and assure that they align with DOJ thresholds. Mr. Laue moved to approve at that level. Mr. Norwood seconded. Motion carried.



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App 18: Chair Schmidt mentioned they were approved for funding in FY18. Mr. Cowing stated that because of the delays, they accepted money elsewhere. Discussion was held on the amount recommended and the split between passthrough, about 17%, and discretionary. Mr. Norwood moved to approve at staff recommended level. Mr. Laue seconded. Motion carried.

App 37: Director Thompson suggested a pass because of the incomplete application. Mr. Cowing mentioned that due to the amount of money requested, it would be good for the KGGP to work with them on processes. Chair Schmidt stated that the Council would pass over this application, but that the KGGP would talk with them.

App 4: Director Thompson stated there were no strengths in application and they didn't follow instructions. Chair Schmidt said no motion, passing over application.

App 9: Discussion on which stream of money they would be able to be funded from, and if there had been tribal applications previously. It was stated that not since it has been JAG. Because of possibility of it needing to be discretionary, time was given for numbers to be figured. Discussion of using app 36 and app 30 as pass through was had. Ms. Stewart explained that app 36 would be discretionary.

App 30: Discussion was had regarding the application's request for equipment that would make them compliant with KBI while currently being out of compliance with KBI. Director Thompson moved to approve at \$24,000 with contingency that they become compliant with KBI. Mr. Laue seconded. Motion carried.

App 36: There was discussion on explaining the staff positions. Mr. Norwood noted that on this type of application it could be eligible to submit to the Juvenile Grant.

App 3: There was discussion between the Council and the representative from Kickapoo Tribal Police on compliance with KBI, the representative stated he had only been there for 14 months and was unaware of the process and needs. Prairie Band Potawatomi Tribal Police offered to help and added that they should be considered a passthrough as a state agency according to the KJP Act. Chair Schmidt moved to consider application 9 and 3 at their levels.

App 9: Discussion was held between Council and Prairie Band Potawatomi Tribal Police on why asking for grant money and not the tribe covering and on selection of radios. Director Thompson moved to approve funding at request level. Mr. Norwood seconded. Motion carried.

App 3: Discussion was held between the Council and the Kickapoo Tribal Police representative on removing cars, inmate housing contract, and asked questions on the reasoning for the contract with Horton PD for dispatch services and using Brown County for housing inmates.



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Director Thompson moved to approve staff suggested level with condition of giving a year to get into compliance with KBI. Mr. Cowing noted that fire arms and ammunition is listed in application and grant lists standardized equipment and council generally doesn't cover standardized equipment. Director Thompson withdrew his motion to review and Council will read through application by line item.

Discussion was held on what the Council would consider to be standard. After discussion of what they would need to remove from the application Mr. Laue moved to fund at \$25,892. Director Thompson seconded. Motion carried.

App 34: Discussed what was already approved and what they are now requesting. With removing costs for items that would not be covered under the grant guidelines Director Thompson moved that the remaining be covered, for \$224,740 total. Mr. Norwood seconded. Motion carried.

Closing application review, Mr. Cowing noted that the KGGP had no suggestion for funding for applications 36 or 37 and should not fund application 44.

Update on process

Mr. Cowing gave an update on the Strategic Plan, noting that to date, close to 500 respondents for the survey and that the survey was going to be extended to December 15.

New Business

Mr. Cowing made a Point of Personal Privilege to let the Council know it had been an honor serving this body as this is essential and are direly needed from Kansas City to the other side of Kansas. He said it had been a privilege and an honor.

Adjournment

With no further business to discuss, Chair Schmidt brought the meeting to a close. Director Thompson made a motion to adjourn the meeting. Mr. Norwood seconded the motion and it passed unanimously.

Minutes prepared by staff of the Governor's Grants Program.

CAUTION: BECAUSE OF THE KANSAS OPEN MEETINGS ACT (KOMA), DO NOT USE "REPLY TO ALL," ADD "CC" OR "BCC" ADDRESSES, OR RESPOND SEPARATELY TO ONE ANOTHER BECAUSE AN INTERACTIVE COMMUNICATION AMONG A MAJORITY OF THE BOARD DISCUSSING THE BUSINESS OR AFFAIRS OF THE BOARD WOULD CONSTITUTE A MEETING AND SUCH A MEETING WOULD BE IN VIOLATION OF THE KOMA SINCE THERE IS NO OPPORTUNITY TO OBSERVE THE MEETING. DO NOT CONTACT ONE ANOTHER BY ANY OTHER MEANS FOR THE SAME REASON. IF YOU WISH TO DISCUSS THIS MATTER, YOU MAY BRING THE MATTER UP AT THE NEXT REGULARLY SCHEDULED MEETING OR YOU MAY CONTACT SHAWN COWING, KGGP ADMINISTRATOR.