

The Senate of the State of New Hampshire

107 North Main Street, Concord, N.H. 03301-4951

December 19, 2016

The Honorable Maggie Hassan
Governor of New Hampshire
State House, Room 208
Concord, NH 03301

The Honorable Chuck Morse
President of the Senate
State House, Room 302
Concord, NH 03301

The Honorable Shawn Jasper
Speaker of the House
State House, Room 311
Concord, NH 03301

Re: SB 544, Chaptered Law 160:1, Laws of 2016, "AN ACT establishing a committee to study funding options for the internet crimes against children task force."

Dear Governor Hassan, Senate President Morse and Speaker Jasper:

As required by SB 544, Chaptered Law 160:1, Laws of 2016, I present the Findings and Recommendations of the Committee.

Should you have any questions or comments regarding this report or the work of the Committee, please do not hesitate to contact me.

Respectfully,

Martha Fuller Clark ^{KF}

Senator Martha Fuller Clark
SB 544 Study Committee Chairman
martha.fullerclark@leg.state.nh.us
(603) 271-3077

cc: Tammy Wright, Senate Clerk
Paul Smith, Clerk of the House
Michael York, State Librarian
Members of the Committee

SB 544
Chapter 160:1, Laws of 2016

*AN ACT establishing a committee to study funding options for the
Internet crimes against children task force.*

FINAL REPORT

The committee established by Senate Bill 544 to study funding options for the Internet Crimes Against Children (ICAC) Task Force met in September and October of 2016 for a total of four meetings. Minutes and materials from each of these meetings are included at the end of this document.

September 1st

Sen. Fuller Clark was elected chair of the Committee. Sen. Fuller Clark summarized the goals of the Committee and the Committee members discussed what information is needed, which stakeholders to reach out to, and when future meetings will be held.

October 4th

Sgt. Tom Grella from the Portsmouth Police Department and the NH ICAC Task Force spoke to the Committee on the mission, responsibilities and funding needs of the Task Force. Det. Matt Fleming spoke to the Committee on his role at the Task Force in community outreach and education. The Committee requested further information from the Task Force, including detailed funding needs, annual reports, and the federal grant application.

October 18th

The Committee discussed the presentation by Sgt. Tom Grella and Det. Matt Fleming from the previous meeting. The Committee brought up several additional questions to bring to Sgt. Tom Grella regarding the following: statistics on the effectiveness of the Task Force, locations of these criminals throughout the state, ways to offset the Task Force's caseload through local partnerships, and options for hiring investigators.

October 25th

Sgt. Tom Grella spoke regarding the additional information that he submitted to the Committee based on the Committee's requests. Chief Todd Faulkner of the Hinsdale Police Department and the NH ICAC Task Force spoke on his role with the Task Force doing digital forensics and the system they have in place for mentoring and training new members. He also discussed the high recidivism rates of criminals convicted of ICAC. Chief David Mara of the

Portsmouth Police Department and the NH ICAC Task Force spoke on the importance of giving the Task Force the resources they need to protect the community. Sgt. Tom Grella and the Committee discussed specific funding needs and how to bring a compelling argument before the policy and finance committees.

The committee's findings and recommendations are as follows:

FINDINGS

The Committee learned of the very significant work that is being undertaken by the NH ICAC here in New Hampshire and of the importance of providing the task force the additional financial resources it needs in order to protect our children from the growing sexual assault crimes over the Internet.

RECOMMENDATIONS

1. The committee supports an additional line item in the 2018-2019 budget to provide \$250,000 of necessary funding to the NH ICAC Task Force for each year of the biennium.
2. Several members of the committee also support the filing of legislation that would provide \$250,000 for each year of the biennium in support of the NH ICAC Task Force to assist in funding additional trained staff and expanded educational efforts to local groups, schools and parents. Filing this legislation will ensure that there will be an opportunity to consider such funding, if no such line item is included in initial budgetary proposals. It is not meant as an additional request to the needed \$250,000 for each year of the biennium, recommended by the committee.

Respectfully submitted,

Martha Fuller Clark ^{KF}

Senator Martha Fuller Clark
Senate District 21
Chairman

Gary Daniels

Senator Gary Daniels
Senate District 11

Robert Cushing ^{KF}

Representative Robert Cushing
Rockingham County – District 21

Representative Joseph Hagan
Rockingham County – District 4

Janet Wall ^{KF}

Representative Janet Wall
Strafford County – District 6

Attachments

1. "9-1-16 Meeting Minutes"
2. "10-4-16 Meeting Minutes"
3. "10-18-16 Meeting Minutes"
4. "10-25-16 Meeting Minutes"
5. "New Hampshire: 2016 State of Readiness for Combatting Exploitation Crimes Against Children"
6. "Memorandum of Understanding (Example)"
7. "Funding Options for the Supplemental Funding"

KEF

**Committee to Study Funding Options for the Internet Crimes
Against Children Task Force
SB 544, Chapter Law 160:1, Laws of 2016**

Organizational Meeting Minutes

TO: Members of the Committee

FROM: Kelly Flathers
Senate Legislative Aide

MEETING DATE: September 1, 2016, 11:00 a.m., LOB 101

MEMBERS OF THE COMMITTEE PRESENT: Senator Gary Daniels
Senator Martha Fuller Clark
Representative Janet Wall
Representative Robert Cushing

MEETING DISCUSSION:

At 11:02 a.m. Senator Daniels opened the meeting.

Senator Daniels nominated Senator Fuller Clark for Chair and Representative Cushing seconded. All were in favor and Senator Fuller Clark was named Chair.

Senator Fuller Clark: For the next meeting, I will provide you with the minutes from the Senate hearing. This issue was brought to me because the Internet Task Force in NH has been funded by grants, which are about to disappear. This Task Force is located in Portsmouth, but it functions all over the state. We need to find or suggest resources to help them continue. For the next meeting, I will try to get someone here who can talk about the organization's history and effectiveness. This is a serious problem, and the idea that we might lose this organization should concern all of us.

Representative Cushing: Do we know what other states are doing?

Senator Fuller Clark: I have that data, but it needs to be brought up to date.

Representative Cushing: Isn't there a national network or organization based in Virginia that does training and supports state efforts? By its nature, this issue isn't limited by state borders.

Senator Fuller Clark: Yes, there is. I will review the background for this issue and see who I need to reach out to for this committee.

Representative Cushing: The person from Portsmouth would be good to bring in.

Senator Fuller Clark: The bill spells out our tasks: “The committee shall study: the work of the task force in New Hampshire and similar task forces in other states and study the methods of funding in other states; the need for additional funding for the New Hampshire Internet crimes against children task force including recommendations for potential funding solutions.”

Senator Daniels: The report for this committee is due November 1st. How many meetings will we need to have?

Senator Fuller Clark: We should plan to have four meetings and we can cancel the later ones if they are unnecessary.

At 11:14 a.m. Senator Fuller Clark adjourned the meeting.

NEXT MEETINGS: Tuesday, October 4th, 2016 at 9:00 a.m. in LOB 101
Tuesday, October 11th, 2016 at 9:00 a.m. in LOB 101
Tuesday, October 18th, 2016 at 9:00 a.m. in LOB 101

REPORT DUE: November 1st, 2016.

**Committee to Study Funding Options for the Internet Crimes
Against Children Task Force
SB 544, Chapter Law 160:1, Laws of 2016**

Regular Meeting Minutes

TO: Members of the Committee

FROM: Kelly Flathers
Senate Legislative Aide

MEETING DATE: October 4th, 2016, 9:00 a.m., LOB 101

MEMBERS OF THE COMMITTEE PRESENT: Senator Martha Fuller Clark
Representative Janet Wall
Representative Robert Cushing

MEETING DISCUSSION:

At 9:09 a.m. **Senator Fuller Clark** opened the meeting.

Sgt. Tom Grella: I am a Sergeant with the Portsmouth Police Department, where I have been employed for 26 years. I hope that by the end of my speech you will have a better understanding of not only the mission of the NH Internet Crimes Against Children (ICAC) Task Force, but the financial requirements to keep the program viable.

Since 1998, the Portsmouth Police Department has been the recipient of a United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) grant, for the purpose of investigating internet crimes against children. For the record, I am not on duty while I am speaking to the committee.

OJJDP has created the ICAC Task Force Program, which is a national network of state and local law enforcement cybercrime units. The national ICAC Program assists state and local law enforcement agencies to develop an effective response to cyber enticement and child pornography cases. This help encompasses investigative and forensic components, training and technical assistance, victim services, and community education. Due in large part to the technological aspects of these cases, the ICAC Task Force Program promotes a multi-jurisdictional, multi-agency, team approach to investigating and prosecuting ICAC cases.

The mission of the NH ICAC Task Force is to: (1) properly investigate and prosecute those who sexually exploit children through the use of the internet and/or computers, (2) provide training and equipment to those involved in investigating and prosecuting ICAC, and (3) provide community education regarding the prevention of ICAC.

First, I should define what an internet crime against a child is. We are not talking about images of children in bathing suits or in a bathtub. Some of the images and videos we see

here in NH have titles like: “three year old child teen playing slave for mom and dad”, “child porn teen preteen underage, kindergarten”, or “three year old gets raped during bath time...she cries”. That particular video is rated “good”.

Many of the images and/or videos that we discover on a suspect’s electronic device depict prepubescent children usually less than 12 years of age. The images are gruesome, showing children being hurt and at times crying out for help. In addition, we don’t discover just a handful of images or videos- many times we find several hundred or even thousands.

One of the most heinous investigations that I led while commander of the Task Force was only a few years ago, involving John Allen Wright of Milton. Mr. Wright was found to have videotaped himself sexually assaulting children that were both physically and mentally handicapped. He worked for a school bus company that provided transportation to children with disabilities in several eastern NH and southern Maine communities.

The Task Force is supported by many Police Departments in NH. That support is usually in the form of an investigator’s time. For example, Detective Matt Fleming of the Bedford Police Department, who is with me today, conducts the lion’s share of internet safety presentations for the Task Force. Matt’s time is usually part of his normal work day. However, on many occasions Matt has given his own time to promote prevention efforts.

This is not unlike many other Police Departments. For instance, the Hampton Police Department allows one detective to devote a minimal number of his work hours to ICAC investigations. The same is true for a detective with the Rochester Police Department. There are between 12 and 15 primary investigators that work ICAC investigations. However, only 80% of one detective and all of my salary are funded by the grant.

Consequently, only one person besides myself are considered assigned to the Task Force. This limited number of investigators is severely insufficient given the increase in the number of investigations we have seen over the years.

Since 2010, there has been a 36% increase in the number of technical assists provided by computer examiners with the Task Force (204 to 563). There has also been a 40% increase in forensic exams (230 to 565). The number of arrests has been steady throughout this time.

However, what cannot be overlooked is the number of contact or hands-on offenders that may have not admitted to their actions, or have not been caught yet. In a recent study of 127 suspects with no known history of hands-on offending, only 4.7% admitted to sexually abusing at least one child. During polygraph procedures, an additional 52.8% of the study sample provided disclosures about hands-on abuse they performed.

Another case that was investigated by the Task Force was a collaborative effort with federal authorities in Washington, DC. It involved a suspect that was determined to be in southwestern NH. When both local and federal law enforcement arrived at the address, it was determined that the children in the images sent to the federal investigator were the suspect’s own children. Who knows what could have happened to those children if we didn’t get to them right away? Or worse, what if the federal investigator wasn’t conducting proactive Peer to Peer investigations?

The majority of Task Force investigations are considered reactive, meaning we respond to a tip or report generated by a child or the parent of a child who has been victimized by online exploitation. Most, if not all of the tips we receive are in the form of cyber tips, processed through the National Center for Missing and Exploited Children (NCMEC).

In the last five years, the NH ICAC Task Force has been assigned 1,696 cyber tips to investigate, or an average of just under one tip per day. Many of these reports have led to the application of a search warrant for a house somewhere in NH. Almost all of the search warrant operations have resulted in the arrest of a perpetrator, resulting in a 57% increase in the number of arrests from just 5 years ago (20 to 35).

A recent case that was predicated on a cyber tip sent to my office resulted in the arrest of a 34 year old man in Fort Wayne, Indiana. A detective with the Pittsfield, NH Police was assigned to the investigation on behalf of the NH ICAC Task Force. The detective interviewed two girls in Pittsfield- one was 12 and the other was 10. It was learned that the girls were communicating with a person they believed to be another child. A member of the NH State Police working on behalf of the Task Force conducted an examination of the girls' mobile devices that revealed details of the conversation. Investigators in Indiana located and arrested the suspect. The arrestee admitted that he befriended the girls on social media sites such as Kik and Snapchat. Eventually, he convinced the girls to send naked pictures, including images of their vaginas and breasts. Additionally, the suspect admitted that he knew the ages of both girls. He also admitted that he masturbated to the images that the girls sent him.

In a report found in USA Today from early 2008, there were 2,797 computers linked to child pornography in the state of NH. This is a conservative number that, according to studies conducted by Task Force interns, has been consistently on the rise.

In terms of proactive investigations, due to the limited manpower and funds available to effectively investigate active offenders, our efforts are not at the level that I believe they should be. As a result, there are perhaps hundreds of offenders in NH that go uninvestigated.

Additionally, a consequence that is rarely seen by anyone other than the investigator, his co-workers, and his/her family, are the effects that investigating these crimes has on Task Force personnel. Many investigators have young children of their own.

The increase in caseload, increase in the number of public awareness presentations, and training and equipment costs all have a financial requirement. However, the NH ICAC Task Force saw only a small increase in funding in the past five years. In fact, it totaled just over \$29,000. What's more shocking is that in 2008, the same year as the USA Today article, the NH ICAC Task Force received a 60% decrease in funding.

Sen. Fuller Clark: Why did that decrease occur?

Sgt. Tom Grella: That is entirely federal funding, and there were a lot of things going on with the government in 2008. We only receive federal funding- no state funding. We received approximately \$450,000 until 2008. We now receive approximately \$260,000.

In order to achieve the positive results of forensic exams, some members of the Task Force have received extensive training in the area of computer forensics. In addition, in order for us to attempt to stay ahead of the perpetrators, we need to have access to, or purchase, cutting edge technology. Again, this has a financial requirement that is in jeopardy of being reduced every year.

Legislation is needed in order to continue with the mission of the ICAC Task Force and put us in a better position to protect the further victimization of children by means of the internet. I'm hopeful that you will agree that without a steady increase in funding to support additional staff, training, equipment, and technology for the Task Force, the protection of children and efforts of NH law enforcement to effectively investigate these heinous crimes is in jeopardy of being compromised.

Sen. Fuller Clark: What is a reasonable amount to expect from the state?

Sgt. Tom Grella: If we could at least double our income now, it would set us on a better course to offset the in-kind donations from local Police Departments.

Sen. Fuller Clark: Would it be possible to develop a budget of where those dollars might go?

Sgt. Tom Grella: Certainly. We have a budget now that is lined out for how we pay for salary, benefits, training, and equipment. If we could at least match the amount we get through the federal grant, we could support the efforts of our affiliates. However, I also don't want to short change ourselves. If we could set a goal of at least \$250,000 in the first year and \$500,000 to \$750,000 for years after that, I'm confident that we could start proactive investigations and offer salary and benefits for additional investigators.

Sen. Fuller Clark: How many additional investigators do you need? How much would that cost?

Sgt. Tom Grella: There are project recommendations in the letter the committee received from PROTECT, which is based on discussions we had with them. One thing listed is hardware and recurring software updates. There are websites we use to make sure two agencies aren't investigating the same target, as well as a registry where we can compare images known to us that may have been prosecuted already. The letter recommends the full time cost to cover salary, benefits, equipment, and training for a minimum of 10 investigators and a minimum of 3 forensic analysts. I don't think this is unreasonable. Currently, everyone is donating their time and adding to their work day, thankfully with the support of their agencies. It is difficult for them to carry that burden.

Rep. Cushing: Could you monetize the value of the contributions of the various agencies?

Sgt. Tom Grella: Those calculations have been done to some extent, as I'm required to provide statistics to the Department of Justice on a monthly basis. I'm also required to provide full time employee hours. Of the numerous affiliates of the Task Force, I break down their approximate hours. I don't have the monetary value of those numbers.

Rep. Cushing: Do you have members of the Task Force from the State Police?

Sgt. Tom Grella: The State Police have been affiliated with the task force since 2010. In the last year, we have provided basic investigative training to five troopers- one person in each barracks. A 6th person has been our liaison for 3-4 years. This work is in addition to their primary assignments.

Sen. Fuller Clark: Do you know the cost of the infrastructure you need?

Sgt. Tom Grella: I do not, but there are federal agencies that have a database we can tap into. Those costs could be minimal. We're looking to maintain a database our own servers, which we currently have at our lab in Manchester. This is not the largest ticket item in our request and could be a one-time cost. Salary and benefits are much higher.

Sen. Fuller Clark: For our purposes, we need financial figures. How much would 10 investigators and 3 forensic analysts cost?

Sgt. Tom Grella: Each investigator is about \$100,000-\$125,000, considering both salary and benefits.

Sen. Fuller Clark: In total that would be over \$1,000,000.

Sgt. Tom Grella: Yes.

Rep. Cushing: Who gets the computers after an investigation? How does the process work?

Sgt. Tom Grella: There are many avenues that an investigation can take. One example is a case predicated on a cyber tip. Based on an IP address, NCMEC sends the case to NH and we assign it to the closest affiliate. The affiliate would apply for a subpoena to provide a federal summons to the internet service provider to confirm the IP address. There is a federal law that requires internet service providers to report suggestive conversations or images that they believe are child pornography to NCMEC. The affiliate would look at any images provided with the tip and confirm that it is child pornography according to NH statute. Next, we put together a team of people to execute the search warrant, with at least 2 examiners participating. They will go into the house, the examiners will look at the computer, and the suspect will be interviewed. The examiners use software that they have extensive training on. They'll often find hundreds or thousands of images. If examiner finds evidence of the crime and the interview involves confessions, they will make an arrest. There are an average of 7 to 12 devices in a home, including external media and old cell phones. Examiners look for any external media that may have been used and eliminate devices used by other members of the household.

Sen. Fuller Clark: Where do they receive that training?

Sgt. Tom Grella: There are various programs where training is often provided for free. Our federal grant pays for travel and room and board, which can vary in price depending on the location of the program. There are three top providers we use for training. Our federal partners allow us to get training from the Secret Service, but it is rare. If we have a brand

new detective, it takes 3-5 years before he can do a computer examination on his own. This is why we need funding- to get dedicated personnel with the training they need to confidently conduct these examinations.

To continue my example, any devices with evidence are taken to either a satellite work station or our lab, which is located in a federal building on Chestnut Street in Manchester. We have three secure rooms, one of which is a full lab. To complete the exam, they put the evidence onto our servers and hold it there until the prosecutor can review it. Many of our cases are referred to the US Attorney for federal prosecution. These cases very rarely have a long trial due to the expertise of our investigators. There are many other avenues a case can take- this is just an example. This is volunteerism by the agencies, who sometimes have to cancel and reschedule their plans with the Task Force due to conflicting responsibilities of their own.

Rep. Wall: The letter recommends we adopt at least part of Virginia's code. Demographically, how would you compare NH and Virginia?

Sgt. Tom Grella: Virginia is clearly a much bigger state than ours. We have a report from April of this year that shows the amount of money each state receives, the number of investigations, and number of arrests. There are 61 task forces in the US- some states have more than one. In 2010, there were 257 cases in Virginia, 34 in NH, and 4 in Maine. In 2015 there were 396 arrests in Virginia and 35 in NH.

We were one of the first ten Task Forces in the country. Our Task Force started in 1998 as the Northern New England Task Force, which included NH, Maine, and Vermont. In 2005 the states broke off and began their own.

Rep. Cushing: Is the entire state covered by your Task Force?

Sgt. Tom Grella: Yes. The primary investigators are the sworn sheriff's deputies in each county, and by being a sworn deputy they have statewide jurisdiction for these cases. We are weak in the North Country- we are very limited in Coos county.

Rep. Cushing: Is there a component of the Police Standards and Training Academy that relates to this?

Det. Matt Fleming: Yes, and first I want to point out that Sgt. Tom Grella is passionate about this task force and has put an immense amount of hours into his work that are never truly documented.

I take pride in the fact that I do most of the community outreach for the task force. I have also served on the Attorney General's Task Force on Child Abuse and Neglect for ten years. I did a study for them regarding the education we provide law enforcement here in NH regarding sex-based crimes. My background and training is in sex crime investigation, which has been the bulk of my work for 20+ years. The NH Police Academy only offers a first line block of education to officers on this issue, as well as one advanced course not really designed for this type of work. In order for an officer to get training for internet based crimes they need to either be part of our task force or network with us.

When I make presentations in the community I encourage officers to attend and give them an overview of how these cases work. The bulk of their training happens in the field, where I will partner up with officers so they can learn interview and interrogation skills. This is not the best scenario, but it's the only way we can get the education out there. If we were able to increase the size of our Task Force, we could host training sessions for our affiliates. Right now we are only reactive to calls and are unable to do more than that.

I do about 30 presentations a year for the Task Force, which includes schools, public groups, and communities that have been affected, like Exeter after a sexting case at the high school. The bulk of the presentations are done in the evening on my own time. I'll partner up with a community and host public presentations for free, just to get a conversation going.

Nationally, 45 million kids a day are using electronic devices and the average use is 11 hours a day. 1 in 33 kids using social media will receive an aggressive sexual solicitation. It's men, women, teachers, coaches, law enforcement, really anyone, from anywhere between 17 and 70 years old. We are working hard to talk to the public and funding will allow us to do that. We have some federal pamphlets that are not unique to NH. It would be nice to have a Task Force brochure with information specific to NH. It seems like a nicety but it's something we need to have. We are trying to educate moms and dads. Nationally, 4.4 million cyber tips were sent through NCMEC, but not all of our tips are from there. Some are from parents intercepting communication and reaching out to us directly.

We call this 21st century sexual assault. Suspects can do it from miles away. I take pride in meeting families and giving them the tools they need to protect their kids. Kids used to be warned about strangers before going to the playground- now they carry the playground in their pocket all the time. People use social media platforms to pose as a young male or female to communicate with younger males or females to collect images. Some trade these images for other images. Although our volume of cases isn't as big as some states, it's big for the size our state. This is a significant, growing problem. Social media is not going away. Most schools don't have cyber citizenship courses- kids aren't getting that education. Our Task Force needs help doing that. We need people who are trained and have experience in the field not only to assist us, but to answer the public's questions.

Sen. Fuller Clark: Where do you go to reach out to parents?

Det. Matt Fleming: When we first started speaking to public groups, people enjoyed the presentation and the media started following us. By the end of the presentation people are in tears because it's pretty graphic. I have to be graphic because impact matters when you talk about these things. We get phone calls and emails from all over the state asking for presentations. We give presentations to PTA's, high school student bodies, businesses, etc. We post presentation dates on our website. People reach out after a bad experience or if they hear about us through word of mouth. Not to take away from the importance of the opioid crisis, but I believe that children are the most important cause. These are the kids that end up being drug addicted or human trafficked. We have a direct connection with the Human Trafficking Task Force now, because of this work.

Rep. Cushing: Can you take these images down once they're on the internet?

Sgt. Tom Grella: That's part of the education component. Once it's out there, it can't be taken back. We are contacted by 20+ year olds who find out that an image they shared when they were young is back out there.

Det. Matt Fleming: When we find images or videos, we need to identify the children being harmed. The NCMEC and the FBI have databases to keep track of this information so the victim can be contacted and can testify at the trial. There is an image in people's heads that these are 30 year old men living in their mom's basement, eating pizza and playing video games, but this is a small fraction of our suspects. We had a husband and wife bringing children into their home for pornography and trading it for drugs, money, and other images. We had a young man using images he collected of his sister to pose as her online and trade for other images. These are intricate, long-term investigations and training is a big part of that.

Rep. Cushing: Have you asked the state for money before?

Sgt. Tom Grella: Four years ago we tried to have something attached to the Sex Offender Registry fees to support the Task Force. There was push back because it was unclear who would be managing the funds. As a Task Force, I believe we lost momentum and opportunities to do proactive police work and get state support. We are now playing catchup because technology is moving faster than we can keep up with. It is frightening to see the number of people in our state trading images. This is an ever growing issue in the country. We don't want to minimize the drug issue because that is a serious situation, but some of our victims and perpetrators are going down that road as well. Human trafficking is on the rise and is becoming part of our investigative network because there's an electronic component to that. We have located and rescued children victimized by human trafficking. Even though we're taking that on, the Department of Justice isn't giving us more money.

Rep. Cushing: This bill came to my committee right after a colleague was arrested for using social media to lure a minor, which has given us a heightened sense of responsibility to step up and provide funding. I would take the money out of the General Fund.

Sen. Fuller Clark: This is how it's being dealt with in other states: Washington state has a dedicated revenue stream based on criminal fines, Kentucky established an ICAC fund with a dedicated revenue stream based on a \$10 court fee for all felony and misdemeanor convictions, North Carolina has \$1.6 million for hiring investigators, Arizona has a revenue stream from a dedicated lottery pool tax, Hawaii has an ICAC fee for each felony and misdemeanor conviction, Idaho had a one-time General Fund allocation of \$2 million and a recurring revenue stream of \$1.6 million a year, Texas has \$3 million in state funding, Virginia has a dedicated revenue stream based on a \$15 fee on all felony and misdemeanor convictions, Tennessee has a recurring appropriation, and so does California. If we were to establish a \$10 fee on our criminal fines, what would that generate?

Rep. Cushing: We already collect 24% on top of our fines, which goes to the Police Academy, Victims' Compensation, computers for the court system, etc. We have a surcharge on domestic violence charges. We can't continue adding surcharges if people can't afford pay them. We have the highest surcharges.

Sen. Fuller Clark: Perhaps we should have a General Fund appropriation that deals with all of this.

Sgt. Tom Grella: The need is there. We've established ourselves in the state after 18 years. Our grant this year was \$165 less than last year's grant, but everything else is still going up. Most other states are in the same boat if you look at the numbers per capita. If we get 30 cyber tips a month, Los Angeles gets 5,000. They get \$630,000 a year- they're stretched just like we are. One difference is that NH gets no state assistance.

Sen. Fuller Clark: Has there been an effort in Washington, DC to get more federal dollars?

Sgt. Tom Grella: There are lobbyists and the Department of Justice wants to give more, but they can't. The money is just not there at the federal level.

Do you need Matt and I to be here to answer questions at the other meetings? Since I am paid by the federal grant, I cannot lobby for legislation while on duty. I can arrange to be here on my own time.

Rep. Cushing: The state needs to step up. I am very impressed and grateful for your work.

Sen. Fuller Clark: Can we have a copy of your remarks and the report you were referencing?

Sgt. Tom Grella: Yes, and I can see if I can get more copies of the report.

Rep. Cushing: Have you explored any private foundations in the state?

Sgt. Tom Grella: We have received some assistance from the Charitable Foundation, which helped us establish our lab. The grants are minimal, though, around \$15,000- \$25,000.

Sen. Fuller Clark: They are launching a major innovative around kids.

Sgt. Tom Grella: An affiliate in Peterborough applied for a grant a few years ago that got us one piece of equipment. Applying to those grants is possible, but difficult. I would need to dedicate somebody to do it, which would add to someone's existing responsibilities.

Sen. Fuller Clark: Can you get us a copy of your recent annual reports? We need a more detailed budgetary request if we want to put this in front of the General Fund. To go from 1 to 20 paid staff members may be over the top, even if that's what you need. You could tier it for different levels- a budget for 10 investigators, 5 investigators, etc. We need that in order to go forward.

Sgt. Tom Grella: I could calculate the average salaries of the 12 primary people we work with. I would be looking to fund the people I already have, not adding new staff. It would take a long time to identify and train new staff.

Sen. Fuller Clark: The 12 individuals have been trained but aren't being paid, correct?

Sgt. Tom Grella: Yes, I'd like to offset that. It's whatever they can fit on their caseload.

Sen. Fuller Clark: You need a dedicated base, not new trained individuals.

Sgt. Tom Grella: Right, and pay Matt to go give these presentations. We've already identified the individuals and we're looking to compensate them as our first step.

Sen. Fuller Clark: Could the materials be provided online?

Sgt. Tom Grella: Yes, we can always steer folks to online resources.

Sen. Fuller Clark: You could create a NH brochure and have a certain number to hand out, while offering it online as well.

Rep. Cushing: Have you connected with the Coalition Against Domestic and Sexual Violence? They have a strong legislative presence- people respect the work that they do. You can reach out to Amanda Grady Sexton.

Sgt. Tom Grella: Ok- we haven't directly connected with them yet. What is my time line to get you the budget?

Sen. Fuller Clark: Could you get it to us between Oct. 18th and 25th?

Sgt. Tom Grella: I should be able to do that.

Rep. Cushing: What is the formal structure of the Task Force?

Sgt. Tom Grella: We have Memorandums of Understanding with 90 agencies across NH, ranging from small schools that may have received a tip to larger agencies like the Nashua Police Department. 90 affiliated agencies doesn't mean we have 90 people helping us- it means we have connections in different areas of the state if necessary. The document refers to the National Standards, which I can't share with you, but it outlines who can do undercover operations, where the equipment goes, who owns it, the requirements for search warrant operations, etc.

Rep. Cushing: When you get a grant, does it go directly to the Task Force?

Sgt. Tom Grella: Yes, the grant works on the federal fiscal year.

Sen. Fuller Clark: Do you reapply every year? Can we see the application?

Sgt. Tom Grella: Yes, we receive a solicitation letter in the spring and provide the grant application by mid-June.

Sen. Fuller Clark: Do you ask for more than what you get?

Sgt. Tom Grella: They tell us what we'll get and we shape our budget around it.

Rep. Cushing: Does the Attorney General sign off on it?

Sgt. Tom Grella: The money goes right to Portsmouth. I apply for it on behalf of the Police Department, write the grant, and put the budget together to include salaries, conferences, licensing of tools, etc. We hold 3 months of salary and benefits during the application period. When we are told that we were awarded the grant, it gets approved by the City Council and we receive it.

Rep. Cushing: Who has control over the lab?

Sgt. Tom Grella: We have a Memorandum of Understanding between Homeland Security and the Portsmouth Police Department. It outlines that we share the office space and need one Portsmouth detective and one other detective from the Task Force there together. My office is there now.

Sen. Fuller Clark: Can you provide to us a list of your affiliates?

Sgt. Tom Grella: Yes. Although we're located in Portsmouth, it's been about 2 years since we made an arrest there. We're all over NH.

Det. Matt Fleming: We've been in Goffstown for the past 3 months. It just depends on where the tips are coming from.

Sen. Fuller Clark: Did you make a presentation at the City Council meeting?

Sgt. Tom Grella: No. I sent out letters to the primary people involved saying we got the grant.

Sen. Fuller Clark: Since it's televised, that's an opportunity to raise your profile and share what you do with the public. At the next City Council meeting you could thank them for authorizing the grant and ask to speak.

Sgt. Tom Grella: Chief Mara does a fantastic job of thanking the City Council. We are currently receiving a lot of support from the media and we are promoting ourselves on local TV stations. I can offer statistics all day long, but I can't get paid to do this. We've been on WGIR, WMUR, Seacoast Online, etc.

Rep. Cushing: You could put in an editorial with Seacoast Online to explain how important it is to get state funding for Task Force.

Det. Matt Fleming: Bedford has a community access channel where we'll be doing a presentation and Q&A that they will share with 30 other stations. The downside of community outreach is that we get even more requests for presentations and still don't have sufficient funding.

Sen. Fuller Clark: If this committee wants to get you funding, we need to build support for that. You could do a lunch presentation for the legislators.

Sgt. Tom Grella: I would be happy to. We also have a link to our presentation on our website.

At 10:25 a.m. **Senator Fuller Clark** adjourned the meeting.

NEXT MEETING: Tuesday, October 18th, 2016 at 9:00 a.m. in LOB 101.

REPORT DUE: November 1st, 2016.

**Committee to Study Funding Options for the Internet Crimes
Against Children Task Force
SB 544, Chapter Law 160:1, Laws of 2016**

Regular Meeting Minutes

TO: Members of the Committee

FROM: Kelly Flathers
Senate Legislative Aide

MEETING DATE: October 18th, 2016, 9:00 a.m., LOB 101

MEMBERS OF THE COMMITTEE PRESENT: Senator Martha Fuller Clark
Senator Gary Daniels
Representative Janet Wall
Representative Robert Cushing

MEETING DISCUSSION:

At 9:05 a.m. **Senator Fuller Clark** opened the meeting.

Sen. Fuller Clark: I contacted Sgt. Grella to see where he is in terms of getting information back to us. I had asked him to get it to us sometime between the 18th and 25th, so we're still waiting for specifics regarding what we would request in terms of dollars. Today we can discuss where we want to go and what we want to do. It is clear there is an enormous need. The number of internet crimes is increasing exponentially. Discuss where we want to go and what we want to do. There is an enormous need. They could do a much better job if they had more staff. What are your thoughts?

Sen. Daniels: It sounds like it was an interesting meeting and I'm sorry I missed it. He has given us a few different cases to demonstrate the need for this. What percentage of arrests result in convictions? In other words, how effective is the program?

Sen. Fuller Clark: I will forward that question to him. My understanding is that they have been effective, but I can get the data.

Sen. Daniels: It sounds like there is actual evidence they're acting on- it's not just alleged. If we're putting money into the General Fund for this, we need to be able to justify it.

Sen. Fuller Clark: The need has been justified, but what we don't have is an evaluation of the success they've had.

Sen. Daniels: Yes, and we need to determine the priority of this program compared to everything else that will be on the table before Finance.

Rep. Cushing: We looked at how some other states raise money.

Sen. Fuller Clark: Yes, some states raise money from fines, but we're already using those fines to fund other programs. We don't have the option to adopt many of the solutions other states have used.

Sen. Daniels: On page 4 of the minutes, a letter the committee received outlines staff that the Task Force needs. Can these people be part time? If they are limited to 30 hours per week, we wouldn't have to cover benefits. Right now they are just volunteers.

Sen. Fuller Clark: They're coming out of Police Departments in various communities. They are being paid, but are adding this area of coverage to their workload.

Rep. Cushing: In Hampton we have Chris Gilroy, who is a regular police officer who also works for the Task Force. There are expenses that need to be paid for to help coordinate all of this.

Sen. Fuller Clark: I was surprised at how long it takes to train a computer analyst to track these crimes. It can take 3 to 5 years.

Sen. Daniels: Officers often work for one department for 3 to 5 years and then they're off to another town. When we're training these people, are we getting some sort of commitment? Can we also get a map showing where these crimes are taking place? If there are certain cities or towns that are heavily affected, maybe those forces can dedicate an office or two to the effort.

Rep. Cushing: Wasn't Goffstown heavily affected recently?

Sen. Fuller Clark: Yes, and it seems to move around.

Sen. Daniels: If there are certain areas that are historically heavily affected, these cases can be handled locally and the Task Force can cover outlying areas. Sgt. Grella also noted that there are programs where training is offered for free, but he didn't identify the programs.

Sen. Fuller Clark: I will reach out with these additional questions for him to answer next week, so we will feel comfortable with what we decide to recommend.

Sen. Daniels: I don't think the program should be defunded- I believe it should continue somehow.

Sen. Fuller Clark: I think that having a staff of 1 individual and increasing that to 10 is too much. We could start with 5 and add people if they continue to see more abuse.

Sen. Daniels: We could have 2 part time people instead of one full time, without the cost of benefits. They're lacking personnel and resources. I'm hoping that we won't have to keep ratcheting up the funding- that it will reach a peak and start going down. That remains to be seen.

Rep. Cushing: We don't know what the next kind of criminal activity will be as technology evolves. His presentation was incredible.

Sen. Daniels: Yes, it really got the point across.

Sen. Fuller Clark: They work through two avenues: the first is educating families and schools so they know what to be watching for. They have one individual giving presentations across the whole state. He's also working to go after the abusers.

Sen. Daniels: There are programs like Neighborhood Watch, and I know that our Police Department has put on different presentations. Working with these programs could increase their resources.

Rep. Cushing: We have Crimeline, which recently had a public presentation on domestic violence. They have the personnel and could sponsor a presentation for them. PTA's could help as well.

Sen. Fuller Clark: The question is- how many organizations can this one person actually reach? It's a complex situation and you need to have a person there who can answer people's questions. You can't just have a video or handout.

Sen. Daniels: I agree, although having something on their website, which I think they do, would be helpful.

Sen. Fuller Clark: Yes, and they post their presentation dates. People reach out after a bad experience or hear about them through word of mouth. They're working with the Human Trafficking Task Force now. Kids are often lured and fall prey to human trafficking.

Sen. Daniels: This is so focused and specialized. If we have Crimeline-type things, are we going to be receiving more allegations that the Task Force will have to look into to determine if they're real or not?

Sen. Fuller Clark: If they generate more inquiries, but don't have enough staff to investigate, that's the challenge.

Rep. Cushing: He described a situation in Northwood where a child was solicited and the mother told kid to break it off. The important part is that the mother knew to reach out to law enforcement and let them know someone was being predatory towards kids, to prevent further abuse.

Sen. Daniels: My concern is that there will be those who really want to help out, but end up calling in tips that aren't necessarily substantiated.

Sen. Fuller Clark: The key sentence is on second page, where it says they have a limited number of investigators, but an increase in investigations over the years.

Sen. Daniels: It says they had a 36% increase in technical assists and a 40% increase in forensic exams, while the number of arrests has been steady. I'm not sure what this means in terms of effectiveness.

Sen. Fuller Clark: He does say there was a 57% increase in the number of arrests. We don't know the outcome of those arrests.

Sen. Daniels: The 57% increase is deceiving because it went from 20 arrests to 35.

Sen. Fuller Clark: As I understand it, pursuing these cases is incredibly time consuming.

Sen. Daniels: If they had the money, how would they proportion it? An additional number of investigators may not help if they have to wait for training. If there's any way that they could shorten the training or investigation time, they could handle these in a timelier manner. In the last 5 years they've had 1,696 cybertips. Many of these tips led to the application of a search warrant and almost all of the search warrants led to an arrest of a perpetrator. That number went from 20 to 35, out of almost 1,700 tips.

Sen. Fuller Clark: We don't know if they couldn't follow up on tips because they didn't have the staff.

Rep. Cushing: I'd like to know how they determine which tips to go after.

Sen. Fuller Clark: He is developing a budget to tell us how he would allocate that increase in dollars.

Sen. Daniels: Once we get that information, this will be easier.

Rep. Cushing: I don't think we necessarily have to make a recommendation with a trajectory for increased spending. We can allow the program to continue at the current level and let Finance take a look at it in the context of what other needs there might be for criminal justice support. This clearly transcends community boundaries and is a state responsibility.

Sen. Daniels: I don't see anything in the minutes about them losing funding.

Rep. Cushing: They lost federal funding- it got cut in half at some point.

Sen. Fuller Clark: They'd like the state to match federal funding to bring them back up to where they were before.

Rep. Cushing: Nationally the whole pot got reduced, but it's stable. I can't imagine internet crime rates going down at this point in time.

Representative Wall made a motion to approve the minutes from Sept. 1st and Oct. 4th. **Senator Daniels** seconded the motion. The minutes were approved.

At 9:31 a.m. **Senator Fuller Clark** adjourned the meeting.

NEXT MEETING: Tuesday, October 25th, 2016 at 9:00 a.m. in LOB 101.

REPORT DUE: November 1st, 2016.

**Committee to Study Funding Options for the Internet Crimes
Against Children Task Force
SB 544, Chapter Law 160:1, Laws of 2016**

Regular Meeting Minutes

TO: Members of the Committee

FROM: Kelly Flathers
Senate Legislative Aide

MEETING DATE: October 25th, 2016, 9:00 a.m., LOB 101

MEMBERS OF THE COMMITTEE PRESENT: Senator Gary Daniels
Representative Robert Cushing
Representative Janet Wall

MEETING DISCUSSION:

At 9:03 a.m. **Senator Daniels** opened the meeting.

Sen. Daniels: We can't approve the draft minutes because we don't have a quorum, but they look fine to me. We will review the funding needs document and Sgt. Grella, Det. Fleming, and Chief Mara are here to speak.

Sgt. Grella: Once again, I'd like to thank all of you for agreeing to sit on this committee to look into supplemental funding for the NH Internet Crimes Against Children Task Force. For those of you that don't know me, my name is Tom Grella and I am a sergeant with the Portsmouth Police Department. I am also the commander of the NH ICAC Task Force. Also present with me is Chief Mara of the Portsmouth PD, and Detective Fleming of the Bedford PD.

Two weeks ago, Matt and I attended one of your meetings and provided you with some preliminary information to give you a background on the Task Force. At the end of the meeting, I was asked to provide additional documentation. Last week, I delivered a disc to Kelly and I believe that you have all accessed that information. However, I also printed copies for all of you.

Also last week, Senator Fuller Clark contacted me by phone and asked me the questions you all had at last week's meeting. Although I provided her with informative responses, I will attempt to answer a couple of those questions with a bit more detail. I'll also attempt to answer any questions you might have based on the materials we provided.

In reference to the supplemental funding request provided in each packet is a list of the salaries and benefits that was provided to me by 10 people that investigate ICAC cases.

Also provided is an average cost for one investigator that is just over \$115,000. Therefore, it will take almost 1.2 million dollars to fund 10 examiners.

The 10 people that provided me with their salaries are detectives at agencies that signed an MOU to be an affiliate of the NH ICAC Task Force. The majority of them have received extensive training in the area of computer forensics. Therefore, if the NH ICAC Task Force were to receive supplemental funding from the state of NH, I anticipate using at least a portion of the fund to pay for the salaries and benefits for a number of these people. I also anticipate using supplemental funds to increase our community outreach, public awareness efforts. This could be achieved by providing financial support to cover at least a portion of the salary of personnel as well as informational handouts.

In terms of the amount of activity that is currently under investigated by the Task Force. We have access to investigative sites to assist in deconfliction, transferring cases, as well as identifying top or recent offenders. Here is a map of recent offenders that have been identified to be possessing, trading, or distributing child pornography. The charted list indicates 181 potential targets, with the possibility of anywhere from only one file of interest to as many as approximately 1,250. More often than not, we will find far more images during a search warrant operation than what our preliminary investigation revealed.

For example, not too long ago we conducted an investigation into the possession of Child Sexual Abuse Images in a town in Rockingham County. The search warrant was based on a cybertip that alleged there were a handful of images at a specific residence. After seizing a number of electronic devices, Task Force examiners discovered several hundred thousand questionable images. In fact, one examiner estimated there to be one million files that could contain images and/or videos of children being sexually abused. It takes an investigator to take an extremely long time to go to. This is an investigator who added this to his normal tasks at his agency. If he were to be dedicated 100% to the Task Force, he could look through all of those images and we could have more proactive investigations.

Since I was last here two weeks ago, the Task Force has participated in two federal search warrants that could result in arrests. In addition, we continued to examine devices seized over the last few months. I can't stress enough, the need for additional funding to aid in investigating these most heinous crimes. Without it, we will continue to fulfill the mission of the NH ICAC Task Force the best we can, leaving us to focus primarily on reactive cases with limited time and resources to conduct proactive investigations and increase community outreach. Without supplemental funding and dedicated personnel, I fear we will continue under-investigating these crimes. Thank you.

Rep. Cushing: If you're online and engaged with someone who has child pornography, can you send in malware to take it down?

Sgt. Grella: No. Also, we have consistently received an average of 30 cybertips per month for the last five years. You can view these as a report to us of something to investigate. Overnight I received a cybertip, which I processed before I came here. I looked at it and determined it was not a crime in NH. I was able to close that out. We investigate every cybertip. Some are simple and some are more serious.

Rep. Cushing: If someone knowingly provides a false tip to set up somebody, is there a penalty for that?

Sgt. Grella: There can be- it's no different than other reports given to police agencies. The difference is that cybertips are often anonymous or submitted by service providers doing their due diligence.

Sen. Daniels: When names are submitted through a tip, are those names held by the state somewhere?

Sgt. Grella: No. For example, today I didn't identify a name, I just saw the chat between two screen names, and I don't have enough information to get the papers to find that name, because no crime was committed. The names will be there if I submit a police report. If there was a search warrant executed and arrest made, the names would be on file.

Sen. Daniels: Even if there is no crime associated with a cybertip, do you keep the screen names on file? DCYF will go after somebody and even if it's unfounded, they'll keep the record on file.

Sgt. Grella: The National Center for Missing and Exploited Children (NCMEC) keeps a record on file. They do deconfliction for us through the cybertip process. I will give them feedback on a cybertip even if there was no crime and if that screen name comes up again, it will bring up the previous report.

Sen. Daniels: You said that you get 1,600 tips and 20 to 35 are found to be justified. What is the ratio of tips that are unfounded versus tips that are legitimate?

Sgt. Grella: There are a considerable amount of unfounded tips. However, cybertips aren't our only source of information. We have investigators who are able to work a limited amount of time on proactive cases. We also get cases from patrol officers, school resource officers, parents, guidance counselors, etc. Many tips are unfounded because they think there's a crime but it may not be illegal in NH.

Sen. Daniels: Are the 10 examiners completely dedicated to the Task Force or are they officers in towns who give their time?

Sgt. Grella: It's the second. For example, Det. Fleming does a majority of our internet safety presentations, often on his own time. Chief Faulkner has administrative duties and investigations of his own, but he tries to dedicate some time to the Task Force. If he gets tied up, he isn't able to go. These folks aren't completely dedicated to the Task Force, but they have specific, unique training in computer forensics.

Sen. Daniels: Who is paying the salaries- the task force or the town?

Sgt. Grella: Salaries are paid by the town. For example, Rochester has one detective that is a computer forensic examiner. If he works a case that fits into his schedule and needs to work overtime, he will call me and ask. That's when the federal grant is compensating the agency.

Sen. Daniels: I know you were looking for \$500,000 with half coming from the federal grant and half coming from the state. How much of that is already coming from the towns?

Sgt. Grella: I would use state funding to reimburse towns or go to an agency and pay for an investigator's salary, so they are 100% dedicated to the Task Force. I'm 100% funded by the federal grant and I can focus 100% of my time to the Task Force. However, if there's a bank robbery, I am still an officer in Portsmouth and would be expected to respond.

Sen. Daniels: Do the members of the Task Force primarily come from areas when there was a problem?

Sgt. Grella: Not necessarily.

Sen. Daniels: Have you contacted law enforcement in those areas where you identified problems to seek their involvement? If there is a police force in town and the town has a problem, it's in the town's interest to have a connection with the Task Force to address the problem.

Sgt. Grella: In the packet are 88 agencies that have signed MOUs with the Task Force. We have a pretty big footprint in the state. However, they don't have the training to investigate these cases. I would have to assign it to one of our key players. There are some towns that are strapped so thin that they don't have the time to investigate these cases, so they look back to us. A lot of us are sworn deputies in our counties, which allows us statewide jurisdiction to investigate these cases.

Sen. Daniels: It was mentioned that training takes about 5 years- is that full time or part time training?

Sgt. Grella: I have one detective paid 80% by the federal grant who has been trained extensively over the last year and a half. Chief Faulkner has had an extensive amount of training.

Chief Faulkner: I've been doing computer forensics since 2003. My background is in child abuse and sexual abuse. I've been on the job for 25 years and 20 of those years been focused on child abuse and sexual abuse. Over the course of my career, I started to see a digital side to the abuse. I took it upon myself to start computer forensics training. I started my training in VT, doing NH cases from 2003-2010. The Task Force asked me to come to NH because they were generating so many cases. Just recently do I feel comfortable with any type of computer or cell phone. It took almost 13 years of training and certification to feel like I'm not going to jeopardize a case if I have to testify in front of the court. There's a lot of checks and balances to make sure we don't miss anything. The court system decided in the past couple years that we don't just testify as examiners- we testify as experts. An expert has to have certain credentials and training. That's not an easy task. I've been recognized as an expert in digital forensics and it took a long time to get there. You also have to stand up to another expert that the defense will bring in. We have to be able to answer those difficult questions about forensics and technology. To become an investigator is difficult. I can't do what Det. Fleming does as an interviewer and he can't do what I do as an

examiner. If you're going to become an expert it will take at least 5 years as an examiner. Certification courses are expensive and difficult. You can't just take a class for 40 hours- you need time, experience, mentors, and additional advanced courses. There's an expertise for each type of technology.

Sen. Daniels: It sounds like the training is simultaneous with on-the-job training- as opposed to going to school for five years.

Chief Faulkner: One of the first things that Sgt. Grella implemented when he took over was a mentorship program. I have an officer in my agency who wants to be an examiner, so I work with him in my lab. The City of Keene has someone who wants to be a cell phone examiner and I've been working with him for two years. He's still not at the level of expert certification. Sgt. Grella has identified senior examiners to mentor others and peer review cases. We also have mentorship for interviewers. It takes time, training, and experience.

Rep. Cushing: Is there a national credentialing organization?

Chief Faulkner: There are two different levels. To be a certified computer examiner, there are different national credentials you can receive covering computer theory and computer science. There are also tool certifications. Each tool (software or hardware) is manufactured by a different company. There are also general theory courses that you can take. For expert certification you need to have the skillset and knowledge to testify. To answer your question- yes, in part, but it's not imperative. It's the certification process for the tools to be able to say you're an expert.

Sen. Daniels: Of the cases that you bring to court, how many are convicted?

Sgt. Grella: I struggle to remember a case that didn't have a conviction, even if it was a lesser included offense. I would confidently say we have a 95% to 98% success rate. Our people are highly trained individuals presenting nice cases to the prosecutors. We have a good relationship with the prosecutors at a local, county, and federal level.

Sen. Daniels: I suspected the ratio would be high. That will be an important question if a bill goes before Finance.

Chief Faulkner: I have a small agency and we respond to the most criminal cases and have the most calls in Cheshire County. If I took a case right now, there is a digital side, an investigative side, an interview side, and a prosecutor side to that case. I could give two officers, myself and another officer, to investigate that case. If I get a search warrant and we discover 10 devices- which is not uncommon- on the property, a computer alone is 40 hours of work to be "court ready". If we uncover 10 computers, that's 400 hours of forensics that I have to do, in addition to all the other aspects of the investigation. With the team that Tom is able to bring to the table, we walk into a home at 9am and leave by 6pm with a completed case, aside from follow-up investigation and forensics. It would take months to accomplish that myself. The team brings experts to the table. We've helped communities who have no idea how to investigate a case. We've walked in, made an arrest that day, and saved a child a few weeks later.

Sen. Daniels: Of the 10 examiners, how many are full time with benefits paid by the Task Force.

Sgt. Grella: None, aside from 80% of the detective and 100% of my salary. Everyone else doesn't receive anything, unless it's on an overtime basis. They're being paid by their agencies.

Rep. Cushing: How much is being paid out in overtime?

Sgt. Grella: There are some numbers there. Some agencies don't tap into those funds. Rochester, Hampton, Portsmouth, and Manchester has. Nashua has not. A lot of them do not take advantage of that.

Sen. Daniels: It sounds like credentials are a driving factor- having the resources and getting people trained to maximize your effectiveness.

Sgt. Grella: How can we incentivize investigators? We have investigators coming into the police force that grew up with internet and cellphones and have an interest. How do we grab that person and keep them interested? We can't do that if they have other responsibilities and we can't compensate them in some way. We can provide them training but if they can't get away to do our cases, it's difficult. We're plugging along, but there are under-investigated cases where our children are being targeted.

Rep. Cushing: Right now the Task Force is mostly reactive. Can you talk about being more proactive?

Sgt. Grella: Some of our guys are trained to go into file sharing networks and identify IP addresses that might have files of interest. They will go through these sites and notice an individual who continues to request files. We can try to identify who that is and where they live. I'll put out an email to get people at our agencies to help.

Rep. Cushing: Do these people end up on the sex offender registry? Is there recidivism? Are there conditions of parole that prohibit computer use, etc.?

Chief Faulkner: The recidivism rate on a sexual abuse case after the age of 18 is high- over 80%. For internet offenses, studies and my own experience has shown that when people look at child pornography, at some point around the 3 year mark they have to validate- find somebody to touch. When they're convicted, they're usually monitored for life by a parole officer. One of the stipulations is that they're digitally monitored as well. The parole officers need to check their computers and phones, but many don't have the tools or resources to do so. We'll get calls from them asking for our help, but there are restrictions in the law on what we can and can't do. I'm in a pilot program in Claremont where I'm designing a tool, a thumb drive that officers can plug into an individual's computer to see what they've been doing. If they see concerning evidence, then we'll get involved. I will train officers to use this tool and if it works well, it will be rolled out to the entire state. In the last couple of months we've arrested known sexual offenders looking at child pornography again.

Chief Mara: If there were an abundance of robberies occurring in an area, I would direct resources to that area. We know that we're just scratching the surface in the internet, but I can't devote resources to be proactive because I don't have them. I've had the occasion to view some of these images and they're extremely disturbing. The ICAC Task Force has allowed us to arrest these people. We owe it to our kids and our community to train more people and act proactively. I also had the opportunity to watch Det. Fleming and Sgt. Grella give an educational seminar at Bedford High School. Educating the public is a big part of this. The more the public knows, the more they'll support this and want these people taken off the streets. I've had to pull officers away because we can't handle the caseloads. It's important that we have the ICAC Task Force and give them the resources they need.

Det. Fleming: It is critical that we get out to communities and talk to families and kids. We are not reaching all of them due to time constraints and funding. Once or twice a week communities will reach out to us and request that we speak because they know this is going on. What is happening on the internet now is 21st century sexual abuse. Homes are full of these devices and parents don't understand how the technology works or how to communicate with their kids. We are huge supporters of the internet, but there are people that will use it with for bad. Schools constantly call us to teach individuals classrooms or large sized groups, but we can't get to every one of them. We need the state's help to provide flyers and digital media to get that information out. When is the last time you saw a billboard warning you about internet predators? This isn't happening. There will come a time when kids are taught about cyber citizenship and safety in a classroom full time. We're chasing something that we need to catch up to. There are additional things on the proactive side that we'd like to do. We are working on being part of media outlets and public service announcements. We also want to do more of what you see on "To Catch a Predator", where we can catch people who are soliciting minors. These cases require a lot of manpower. Right now we can't even begin to touch these cases.

Sen. Daniels: My understanding is that you have some online education.

Det. Fleming: Yes. We recorded a presentation and put it online. It is helpful for the working mom or dad who can't attend a presentation. The downside is that they won't get all their questions answered- it's not as interactive. Training people to give the presentation is challenging as well. We can't have a person fielding questions if they don't fully understand the information. I do community outreach and also do interviews at the raids. I can integrate those life experiences into the presentations so they have impact. They also help me better understand the technology so I can explain to parents how exploitations take place. I can't just turn this over to someone- we need to train and mentor people from the Task Force to give the presentations.

Sen. Daniels: As a suggestion- if people watch the video at schools, they could submit questions to the Task Force and you could put together an FAQ section on the website. This would alleviate the need to have a person, even though that's ideal.

Rep. Cushing: Thank you to all of you and especially Chief Mara for Portsmouth PD's leadership in this area. It has been helpful to see what you are doing. The state of NH has a responsibility to step up and help out.

Sen. Daniels: It sounds like the people participating on the Task Force are there on overtime.

Sgt. Grella: No, only the agencies I listed have participated in that. That particular line item isn't used a lot. Many people aren't being compensated by the Task Force at all. I think we can agree there's a need for the Task Force. Why are we here in 2016 looking for supplemental funding? Our funding in 2008 was \$420,000. When it started we were responsible for three states, so it was higher. Two years later it was \$227,000. In 2009 we had access to a recovery grant, which gave us an assistant commander, an administrative assistant, the ability to offset other salaries at the Portsmouth PD, 30% of one investigator that just did cybertips, and another administrative assistant to help with reporting. That went away in 2012. For the last four years we've seen a decrease in funding. In 2016 we have \$256,000. We have not seen a drop in cases. Cases are on the rise and devices for each case are on the rise.

Sen. Daniels: How are we countering recidivism? What are we doing to prevent people from offending again?

Sgt. Grella: Currently we aren't doing anything, as we don't have the time or resources. We're hopeful that when we have enough press releases it will stop the problem, but clearly it's not.

Chief Faulkner: You're not going to stop the recidivism; they're not going to change. We can train our investigators and partners to see it and deal with it. I have worked with federal probation/parole officers assigned to a geographic area who have access to my lab. They can do it much quicker than we can because these people are on a court release program and have to allow people to look at their items. All we can do is educate, train, and get as many partners and resources as possible to be proactive. Crime doesn't stop at our borders- these people don't always commit crimes in their own communities.

Sen. Daniels: It's like the opioid epidemic- getting people to take a different direction in life would be a way to reduce your caseload.

Chief Faulkner: It's like a cancer- it goes into remission for five years and comes back. We just have to be there to treat it.

Chief Mara: In Manchester there were 400 registered sex offenders in 2015. I had two full time people watching them and making sure they were registered. It is a difficult task to keep track of them.

Sen. Daniels: Are people who committed sex related crimes in the past and have served their sentence still on the list?

Chief Mara: Yes.

Sen. Daniels: We need to have a discussion as to what will be in the final report and what will be the recommendation coming out of this committee.

Rep. Cushing: It is clear that we want to recommend that the state step up and provide a partnership with the Task Force, and that we recommend there be a line item in the budget to reflect that. A quarter of a million dollars is reasonable. We discussed earlier that this committee would be willing to sponsor legislation next session and at least get it through the policy committees, who would see the importance of this and recommend it passes. Then it would go to the Finance Committee.

Sen. Daniels: Do we want anything in there anything in there encouraging local law enforcement to dedicate part of their staff to this, so that they have a partner in the community?

Rep. Cushing: I'm fine with that. I want to make sure we praise the work that's being done right now. They listed almost 100 agencies that signed an MOU- that is a substantial contribution already.

Sgt. Grella: We provided the federal grant narrative in the packet. I was anticipating that if we had supplemental funding, the goals and objectives of the Task Force would remain the same. Gaining affiliates to increase our footprint is in there as a constant. It's reactive in the sense that agencies will see what we're doing and ask to sign an MOU. Our program is well established and our goals and objectives are set by federal standards. We're looking to compensate the examiners that we have. That could address the concern about needing five years of training. I have the trained individuals already. If they're dedicated, I'm confident that we could investigate crimes in small towns that don't have the personnel.

Sen. Daniels: Would that \$250,000 would be used for resources and materials?

Sgt. Grella: Yes, it could be used for personnel, training, equipment, travel, etc. It would follow the same lines of the budget narrative we have now. \$250,000 is only a percentage of the \$1.2 million that we average. I want this to be something that we can count on annually. If we shoot for \$1 million and the committee gives us \$250,000, that's fine. I don't want to ask for \$250,000 and have the committee give us \$50,000. I want to be realistic and give agencies the incentive to dedicate these guys to the Task Force.

Rep. Cushing: Will the chair prepare a report that will be circulated amongst us?

Sen. Daniels: The chair will write a final report, make it available to us for input, and probably have it at Legislative Services for signing off.

Rep. Cushing: You'll have to come back in January to have this discussion again, but I think having a positive recommendation from this committee will help.

Sen. Daniels: I don't think there will be any problems with the policy committee. The challenge will be when it gets to Finance. When Finance is looking at everything on the table, what is going to put this above something else? When you come to testify, that's where you need to focus. What is the state required to fund? What do they need to fund? What do they want to fund? There are some compelling arguments in the testimony you've given that it is detrimental to communities when there are predators out there.

Sgt. Grella: The byproduct of training an individual in computer forensics is that they get pulled away to assist drug units and patrol officers. We're finding digital devices in every criminal investigation. That's been very helpful.

Sen. Daniels: I'm trying to prevent towns from looking at a problem and giving it to the Task Force. They need to recognize that it is part of their job as local law enforcement. They can use the expertise of the Task Force in a partnership like Neighborhood Watch, so you can conserve your resources.

Sgt. Grella: If we get the resources, I'd probably double the number of agencies on that list.

At 10:15 a.m. **Senator Daniels** adjourned the meeting.

NO FURTHER MEETINGS SCHEDULED.

REPORT DUE: November 1st, 2016.

DRAFT



The National Association to PROTECT Children

to

New Hampshire Senate

**THE COMMITTEE TO STUDY FUNDING OPTIONS FOR THE INTERNET
CRIMES AGAINST CHILDREN TASK FORCE**

“New Hampshire: 2016 State of Readiness for
Combatting Exploitation Crimes Against Children”

Camille Cooper
Director of Government Affairs

9.12.2016

In 2008, both the US Senate Judiciary Committee and USA Today published findings by the Department of Justice Internet Crimes Against Children Task Force (ICAC) program outlining the threat against children of exploitation state-by-state. In response to that threat Congress authorized the ICAC Task Force program under The Protect Our Children Act of 2008 (Pub.L. 110-401). Increases in appropriations to build capacity followed suit but under sequestration these advancements were cut and have stagnated at the federal level.

The National Association to PROTECT Children responded to this resource crisis by creating a 50 state initiative in partnership with The National Sheriff's Association and the Fraternal Order of Police called "Alicia's Law".

This initiative is named after Alicia Kozakeiwicz. In 2002, At the age of 13, Alicia stepped outside her family home in Pittsburgh to meet a "friend" she'd met on the Internet. Instead, she met a monster, who abducted her, took her to his Virginia house and chained her in a basement. Four days later, Alicia was rescued by specially trained internet crime detectives. Now a young woman, Alicia is on a mission to make sure help is there for other children who need rescue. She knows that the vast majority of child victims are not abducted by strangers, they are prisoners in their own homes and circles of trust. But hundreds of thousands of their tormentors can be detected, located and stopped in much the same way Alicia's was: by following the trail of child pornography online, right to the doors of children in danger.

Alicia's Law is a model bill for child rescue funding for states. Alicia's Law creates a *dedicated revenue source* for law enforcement units that combat child sexual exploitation. By creating a new revenue stream, Alicia's Law builds permanent capacity for child rescue teams, revenue that will not fall victim to yearly fights over or cuts to the general budget. Alicia's Law focuses on securing state funding for the Internet Crimes Against Children (ICAC) task forces, a [network of 61 task forces](#) that makes up the backbone of U.S. capacity to fight child exploitation. The success and impact of Alicia's Law is measured solely in arrests and child rescues, and no funding is earmarked for nonprofit organizations or other related purposes. This law has been passed in 11 states.

NEW HAMPSHIRE

In 2008, law enforcement had seen 2,797¹ individual computers trafficking in sadistic crime scene images of very young children, infants and toddlers, being tied up, tortured and raped *just in New Hampshire alone*. New Hampshire's ICAC Task Force is designated through a grant by the Office of Juvenile Justice and Delinquency Prevention at The US Department of Justice and is housed at the Portsmouth Police Department. According to the US Department of Justice's 2016 *National Strategy for Child Exploitation Prevention and Interdiction*, in 2015 the New Hampshire ICAC Task Force received \$256,152.00 from their federal grant.

Multiple studies – the Butner Redux², the Seto Study³, and the Bourke et al⁴, - have been done over the past decade to determine the rate at which internet offenders also have real child victims. Conservatively these studies conclude that based on actual offending histories, **at least 55%** of internet offenders have actual child victims which they have sexually assaulted in their own communities and circle of trust. That means roughly 1,398 children have been waiting for rescue in New Hampshire.

The local heroes of this task force work relentlessly to rescue local New Hampshire children from abuse often with inadequate resources and staffing challenges. Each day these front line heroes go home knowing there are more children to save who wait in abusive situations to be rescued. The burden for these children and the ICAC Task Force officers is great and should be met by state legislators with adequate resources.

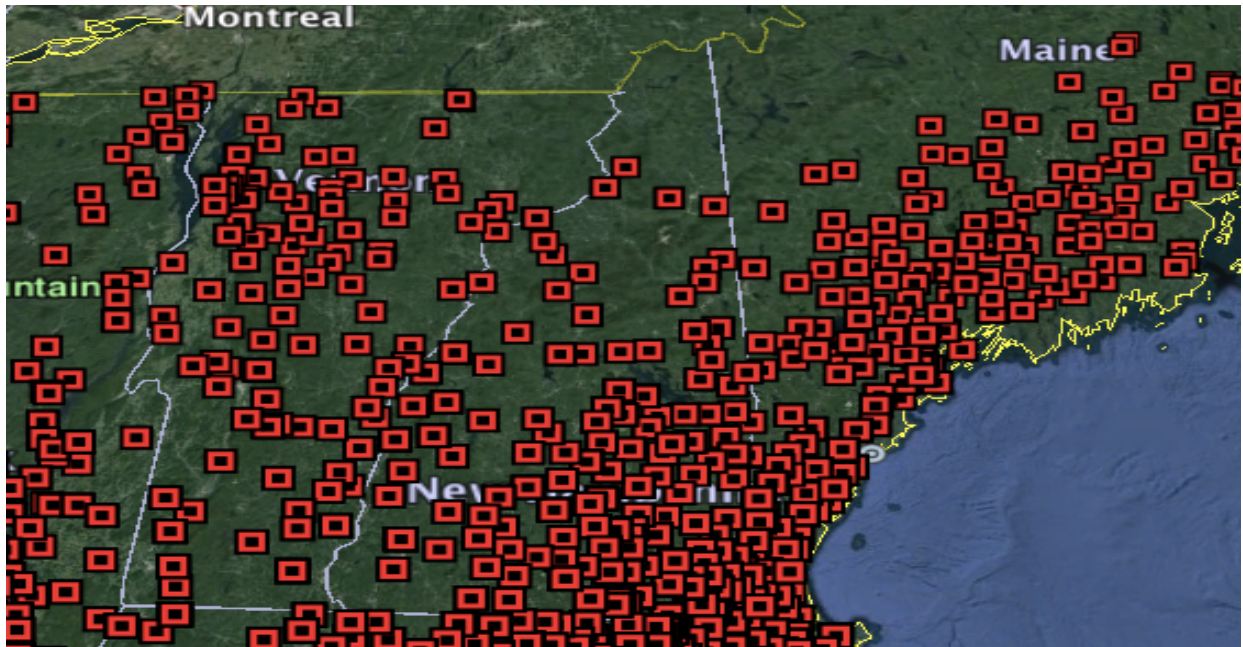
Virginia was the first state to adopt a state fund and dedicated revenue stream for the two ICAC Task Forces in 2010 and since has realized a 400% increase in arrests and child rescues annually.

¹ "Computers linked to child pornography", USATODAY, 2/7/2008

² "Butner Study Redux: A Report of the Incidence of Hands-on Child Victimization by Child Pornography Offenders; Michael L. Bourke; Andres E. Hernandez; Journal of Family Violence Volume:24 Issue:3 Dated: April 2009 Pages:183 to 191

³ Seto, M. C., Hanson, R. K., & Babchishin, K. M. (2011). Contact sexual offending by men arrested for child pornography offenses. *Sexual Abuse: A Journal of Research and Treatment*, 23, 124-145.

⁴ "The use of tactical polygraph with sex offenders" Michael L. Bourke,¹* Lance Fragomeli,² Paul J. Detar,¹Michael A. Sullivan,³ Edward Meyle⁴ & Mark O'Riordan⁵United States Marshals Service, Behavioral Analysis Unit, Alexandria, VA, USA;²Federal Bureau of Investigation, Cleveland, OH, USA; ³Office of the United States Attorney, Cleveland, OH, USA; ⁴U.S. Postal Inspection Service, Polygraph Unit, Grand Rapids, MI, USA &⁵United States Secret Service, Detroit Field Office, Detroit, MI, USA; Journal of Sexual Aggression, 2014
<http://dx.doi.org/10.1080/13552600.2014.886729>



(Clusters of computers seen trafficking in child pornography, ICAC Data Network, 2008, New Hampshire)

On average, a full time dedicated ICAC officer can investigate approximately 25 cases a year. If that officer is also doing the forensics on each case then that number would be reduced by as much as half, maybe more considering the volume of data confiscated. The appropriate ratio of investigators to full time forensic analysts should be **3:1**. This ratio ensures that cases do not languish in a forensic backlog, which leaves dangerous offenders on the street and children at continued risk.

Bringing new or additional officers to full time status across New Hampshire will require substantial increases in funding for both salary, benefits, training and equipment costs. No greater priority exists today than the immediate rescue of those children who wait and no expense should be spared to bring New Hampshire into a state of readiness.

TECHNOLOGY

Internet offenders are constantly creating ways or exploiting new technologies to avoid detection and capture. ICAC Task Force officers need continual training to keep pace with these changes.

Recent advancements in the field of child rescue technology make it possible for detectives to locate and rescue children on a scale not possible even 3 years ago, and to triage and speed up forensic processes to reduce forensic delays.

Child abuse image trafficking crosses all geographic boundaries and multi-state and global information sharing and cooperation is imperative for facilitating child rescue operations. Investment and adoption of a state law enforcement controlled server or “Child Abuse Image Registry” would greatly enhance New Hampshire’s ability to locate child victims and aid in their rescue. This one-time infrastructure cost would allow New Hampshire to stay current on all existing and new technologies and enable the ICAC to de-conflict leads in real time. Adopting a Project Vic compliant and O-Data standard would greatly reduce ICAC forensic man hours. Information about this standard in child exploitation cases can be found here:

<http://www.projectvic.org/odata-and-the-vic-data-model/>

Multiple solutions exist to establish this critical infrastructure and the New Hampshire ICAC Task Force should be requested to report which solutions are best suited to meet their needs for both undercover, cyber-tip and child victim identification cases.

Virginia has a model code for establishing this state controlled server. If a similar law is needed in New Hampshire, then this law can and should be adapted to meet New Hampshire’s ICAC needs. The Virginia law can be found at:

<http://law.lis.virginia.gov/vacode/title19.2/chapter23/section19.2-390.3/>

PROTECT RECOMMENDATIONS

1. Legislation to establish a dedicated state ICAC Fund with a dedicated annual revenue stream.
2. If needed, legislation to establish an ICAC controlled state child abuse image registry.
3. Adequate resources to cover infrastructure costs for hardware and recurring software for the registry and any variation needed by the New Hampshire ICAC to reduce their forensic backlog and increase their ability to locate and rescue child victims.
4. Full time costs to cover salary, benefits, training and equipment for a minimum of 10 Investigators and a minimum of 3 forensic analysts.

Sgt. Tom Grella,
Portsmouth PD/
NHICAC Task Force

MEMORANDUM OF UNDERSTANDING

NEW HAMPSHIRE INTERNET CRIMES AGAINST CHILDREN TASK FORCE

PARTIES

The **Portsmouth Police Department** is the recipient of a United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (**OJJDP**) grant to enforce laws regarding Internet Crimes Against Children (**ICAC**), and the Portsmouth Police Department utilizes this grant to administer and operate the New Hampshire ICAC Task Force.

This Memorandum of Understanding (**MOU**) is entered into by the **Portsmouth Police Department** and the **Keene Police Department**.

OVERVIEW / MISSION STATEMENT

OJJDP has created the ICAC Task Force Program, which is a national network of state and local law enforcement cyber-crime units. The national ICAC Program assists state and local law enforcement agencies to develop an effective response to cyber enticement and child pornography cases. This help encompasses investigative and forensic components, training and technical assistance, victim services and community education. Due in large part to the technological aspects of these cases, the ICAC Task Force Program promotes a multi-jurisdictional, multi-agency, team approach to investigating and prosecuting ICAC cases.

Therefore, the mission of the New Hampshire ICAC Task Force is to: (1) properly investigate and prosecute those who sexually exploit children through the use of the Internet and/or computers; (2) provide training and equipment to those involved in investigating and prosecuting ICAC; and (3) provide community education regarding the prevention of ICAC.

PURPOSE

The purpose of this MOU is to formalize the working relationship between the **Keene Police Department** and the Portsmouth Police Department/New Hampshire ICAC Task Force, as well as to delineate the responsibilities and expectations of the relevant parties. By signing this MOU, the **Keene Police Department** agrees to join the New Hampshire ICAC Task Force for the primary purpose of vigorously and properly investigating Internet Crimes Against Children. By joining the New Hampshire ICAC Task Force, the **Keene Police Department** will benefit from grant resources, joint operations and extensive training opportunities. By entering into this MOU, the New Hampshire ICAC Task Force will benefit from the investigative support from the **Keene Police Department**.

INVESTIGATIONS

All ICAC investigations will be conducted only by sworn law enforcement investigators and in a spirit of cooperation with other New Hampshire ICAC Task Force affiliates and members. Investigations will follow guidelines established by each agency's respective policy manual or guidelines. However, ICAC investigations shall also be governed by the national ICAC program's Operational and Investigative Standards (attached). Violation of the ICAC operational standards is cause for cancellation of this MOU. This MOU is not intended to infringe on the ongoing investigations of any other agency. It is agreed that unilateral acts on the part of employees involved in Task Force investigations are not in the best interest of the Task Force.

The **Keene Police Department** will:

Utilize only sworn law enforcement personnel from the **Keene Police Department** to conduct undercover ICAC investigations. Each investigator involved with undercover operations must receive ICAC training prior to initiating proactive investigations and shall submit reports of all undercover activity to the Portsmouth Police Department.

Conduct reactive investigations where subjects are associated within the **Keene Police Department** jurisdiction, including investigations of child pornography, Cybertip referrals from NCMEC, Internet Service Provider and law enforcement referrals, and other ICAC-related investigations. Additional case initiations may develop from subject interviews, documented public sources, direct observations of suspicious behavior, and public complaints.

Record and document all undercover online activity. Any deviations from this policy due to unusual circumstances shall be documented in the relevant case file and reviewed by the NH ICAC Task Force Commander.

Provide officers assigned to the Task Force access to all ICAC investigative files including, without limitation, computer records, in order to ensure compliance with all national ICAC standards.

Locate its ICAC investigators in secured space provided by the **Keene Police Department** with controlled access to all equipment, software, and investigative files. At a minimum, information should be maintained in locked cabinets and under control of the **Keene Police Department** and NH ICAC Task Force personnel, with restricted access to authorized personnel only.

Conduct education and prevention programs to foster awareness and provide practical, relevant guidance to children, parents, educators, librarians, the business and law enforcement communities, and other individuals concerned about Internet child safety issues. Presenters shall not discuss ongoing investigative techniques and undercover operations utilized by the NH ICAC Task Force.

SUPERVISION

The **Keene Police Department** will be responsible for the day-to-day operational supervision, administrative control, and personal and professional conduct of its officers and agents assigned to the Task Force. ICAC investigations are a cooperative effort and investigative decisions will be a joint process guided by ICAC standards.

LIABILITY

The **Keene Police Department** is responsible and liable for the acts and omissions of its own officers, agents or employees in connection with the performance of their official duties under this MOU. For tort liability purposes, no participating agency shall be considered the agent of other participating agencies. Each participating agency shall be liable, (if at all) only for the torts of its own officers, agents or employees that occur within the scope of their official duties.

REPORTING STATISTICS

The **Keene Police Department** shall submit monthly statistics to the Portsmouth Police Department on all ICAC investigations or other investigative work pertaining to the sexual exploitation of children via the Internet. Monthly statistics shall be submitted directly into the ICAC Data Systems (IDS) website in the appropriate format by the **10th** day of each month. Monthly stats shall include data on all related investigations opened or closed during the month, as well as forensic examinations, technical/investigative assistance provided to other agencies, subpoenas and court orders issued, training hours attended and taught, and community outreach provided.

In addition, a breakdown of basic case data shall be included for each sexual exploitation of a minor (child pornography) case, and/or criminal solicitation of a minor (enticement/traveler) case investigated by the **Keene Police Department**. The Portsmouth Police Department will then be responsible for all required reporting to OJJDP.

TRAINING

The **Keene Police Department** shall make investigators designated as Task Force members available for applicable specialized training provided through the national ICAC program and other appropriate training programs. The Portsmouth Police Department will review training requests and provide funding for ICAC approved training when appropriate.

EQUIPMENT

If the Keene Police Department assigns an investigator to the NH ICAC Task Force with a specific job duty of conducting undercover ICAC investigations, the Task Force will assist the Keene Police Department in obtaining the necessary computer equipment, software and supplies to conduct undercover computer investigations. If appropriate, items will be purchased covertly to the extent allowed by NH ICAC purchasing guidelines. The Task Force will provide specified requirements for each item purchased and set a dollar amount for reimbursement. Any deviation from the specified requirements or dollar amount must be approved by the NH ICAC Task Force Commander in writing prior to the purchase. The Keene Police Department will make these purchases and submit the invoice to the NH ICAC Task Force Commander for reimbursement if OJJDP grant funds are available. Upon reimbursement, the OJJDP grant will own the equipment, which will remain with the Keene Police Department for its use until such time as this MOU is cancelled. Only the Keene Police Department staff assigned to the NH ICAC Task Force will use the equipment and /or software provided by the OJJDP grant, and its use will be restricted to ICAC-related investigations. Upon notice to the Keene Police Department, a Task Force representative designated by the NH ICAC Task Force Commander will have complete and unrestricted access to said equipment for the purpose of ensuring compliance with all grant requirements. In the event either party terminates this MOU for any reason, the equipment will be returned to the NH ICAC Task Force.

MEDIA RELATIONS

Media release information regarding ICAC investigations and/or arrests should be coordinated with the NH ICAC Task Force Commander **before** any information is released. When any information is provided to the media regarding investigations, arrests, or other actions taken in conjunction with ICAC cases, the Keene Police Department shall include reference to the NH ICAC Task Force, as well as any other appropriate agencies and/or ICAC task forces.

It is imperative that all efforts be made to protect undercover online identities, and ICAC investigative techniques. Therefore, any media releases (as well as any other information that will become available to the public) will not mention investigator's online identities or other identifying information, or specific ICAC investigative techniques. Failure to adhere to this requirement could seriously jeopardize ongoing proactive investigations and may result in the cancellation of this MOU.

CONFIDENTIALITY

It is understood that any confidential information pertaining to investigations of ICAC will be held in the strictest confidence and will only be shared with participating ICAC task force members or other law enforcement agencies where necessary, or as otherwise permitted by federal and/or state law.

Funding Options for the Supplemental Funding

New Hampshire Internet Crimes Against
Children Task Force

SB544

CHAPTER 160
SB 544 - FINAL VERSION

16-2979
04/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT establishing a committee to study funding options for the Internet crimes against children task force.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 160:1 Committee Established. There is established a committee to study funding options for
2 the Internet crimes against children task force.

3 160:2 Membership and Compensation.

4 I. The members of the committee shall be as follows:

5 (a) Two members of the senate, appointed by the president of the senate.

6 (b) Three members of the house of representatives, appointed by the speaker of the
7 house of representatives.

8 II. The committee may solicit the advice or testimony of any individual or organization with
9 information relevant to its objective.

10 III. Members of the committee shall receive mileage at the legislative rate when attending
11 to the duties of the committee.

12 160:3 Duties. The committee shall study:

13 I. The work of the task force in New Hampshire and similar task forces in other states and
14 study the methods of funding in other states.

15 II. The need for additional funding for the New Hampshire Internet crimes against children
16 task force including recommendations for potential funding solutions.

17 160:4 Chairperson; Quorum. The members of the study committee shall elect a chairperson
18 from among the members. The first meeting of the committee shall be called by the first-named
19 senate member. The first meeting of the committee shall be held within 45 days of the effective
20 date of this section. Four members of the committee shall constitute a quorum.

21 160:5 Report. The committee shall report its findings and any recommendations for proposed
22 legislation to the president of the senate, the speaker of the house of representatives, the senate
23 clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

24 160:6 Effective Date. This act shall take effect upon its passage.

25 Approved: May 27, 2016

26 Effective Date: May 27, 2016

Projected Supplemental Funding

Proposed Expenditures

Salaries/Benefits

# of Detectives	Agency/Staff (Ranking/Non-Ranking)	
	Concord	
1	Investigator/Analyst	114,615
2	Investigator/Analyst	116,754
	Nashua	
3	Investigator/Analyst	114,346
4	Investigator/Analyst	132,719
5	Investigator/Analyst	112,949
	Derry	
6	Investigator/Analyst	99,225
	Manchester	
7	Investigator/Analyst	126,277
	Rochester	
8	Investigator/Analyst	103,072
	Bedford	114,900
9	Investigator/Analyst <i>Community Outreach</i>	
	Portsmouth	
10	Investigator/Analyst	115,167
	Projected Total	1,150,024
	Projected Average per Det	115,002.38

New Hampshire
ICAC Task Force
Community Outreach Goals

ICAC Task Force Community Outreach

TRAINING/EDUCATION GOAL

The New Hampshire Internet Crimes Against Children Task Force is not only responsible for the investigation and detection of child sexual abuse images or child exploitation. The NH ICAC Task Force is also charged with providing community based education and training about the potential dangers that exist online. As a result the task Force provides communities with the tools needed to keep kids safe, while addressing the topic of appropriate cyber citizenship. Each year the NH ICAC Task Force visit schools throughout the State of New Hampshire as well as private groups and businesses to educate them on this important topic. Additionally the NH ICAC Task Force needs to provide important and informative education to its law enforcement partners in an effort to effectively combat these intricate investigations.

NECESSARY EQUIPMENT

In order to provide these valuable events to the community and law enforcement. The NH ICAC Task Force needs the following equipment to meet the training needs:

- Laptop Computer
- Projector
- Portable Screen

TRAINING/EDUCATION MATERIALS

During the training/education events, the NH ICAC Task Force will need the following presentation items:

- Flyers
- Pamphlets/booklets

*These materials will specific to New Hampshire and the types of exploitation and internet sex crimes in this region.

PRESENTER EXPENSES

Most of the public based events take place in the evening hours and during the school year. As a result, presenters are asked to offer presentations multiple times a week before, during and after the regularly scheduled shifts. The NH ICAC Task Force is generally speaking one to two times a week during the school year and approximately on a month in the summer. Thus making the need for funding to cover:

- Presenter Pay Rate
- Travel Expenses

PUBLIC SERVICE ANNOUNCEMENTS

The NH ICAC Task Force has and will continue to work with the media to produce public service announcements (PSA's). As well generate/produce signs, posters and banners promoting internet safety and information on how to report a crime to law enforcement. Funding would further enable the production of:

- Posters/Banners/Signs
- Local publications & PSA's

Portsmouth Police Department
Original Solicitation for
Internet Crimes Against
Children (ICAC) Federal Grant



U.S. Department of Justice

Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

Washington, D.C. 20531

June 16, 2016

Thomas Grella
Detective Sergeant
Portsmouth Police Department
3 Junkins Avenue
Portsmouth, NH 03801

SENT VIA EMAIL ONLY

RE: Invitation to Apply for Funding to Support the Internet Crimes Against Children Task Forces

Dear Detective Sergeant Grella:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is inviting the Portsmouth Police Department to submit an application for funding to support the New Hampshire Internet Crimes Against Children (ICAC) Task Force. The proposed project period should be 12 months (July 1, 2016 to June 30, 2017). The amount of federal support requested should not exceed \$256,037. All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law. This letter is only an invitation to submit a proposal and is not an indication of project approval or an authorization to begin work on the project proposed.

This invitation does not require a match. However, if an application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

The application should include a description of goals and activities related to the proposed project, including how they will assist state and local law enforcement agencies enhance capacity and improve effectiveness in responding to online child victimization and child pornography. Specifically, applicants must explain how they will address the following:

- Maintain and expand the ICAC task force.
- Improve task force effectiveness to prevent, interdict, investigate, and prosecute Internet crimes against children and technology-facilitated child exploitation.

Applicants must further explain how they will address the following functions as stipulated in Section 104 of the PROTECT Act:

- Work consistently to achieve the purposes described in Section 103 of the PROTECT Act.
- Maintain a task force consisting of state and local investigators, prosecutors, forensic specialist, and education specialists dedicated to addressing the goals of such task force.
- Engage in proactive investigations, forensic examinations, and effective prosecutions of Internet crimes against children.
- Provide forensic, preventive, and investigative assistance to parents, educators, prosecutors, law enforcement, and others concerned with Internet crimes against children.
- Develop multijurisdictional, multiagency partnerships and responses to Internet crimes against children offenses through ongoing informational, administrative, and technological support to other state and local law enforcement agencies so that they can acquire the knowledge, personnel, and specialized equipment to investigate and prosecute such offenses.
- Participate in nationally coordinated investigations that the Attorney General determines are necessary, as available resources permit.
- Establish, adopt, and comply with investigative and prosecution standards, consistent with established norms.
- Investigate tips related to Internet crimes against children, as appropriate, including tips from the National Center for Missing and Exploited Children's CyberTipline, other ICAC task forces, and other federal, state, and local agencies. Task forces should give priority to investigative leads that hold out the possibility of identifying or rescuing child victims or leads that point to a serious offense or danger to the community.
- Develop procedures for handling seized evidence.
- Maintain reports and records, as the Attorney General requires.
- Comply with national standards regarding the investigation and prosecution of Internet crimes against children, as the Attorney General sets them forth, to the extent they are consistent with the law of the state where the task force is located.

Applicants should include a project abstract that includes a brief description of the project's purpose, the population to be served and the activities that will be implemented to achieve the project goals and objectives.

The application should also address performance measures for the proposed project. The relevant performance measures are listed below. Award recipients will be required to provide the relevant data by submitting performance metrics through the OJJDP ICAC Portal located at <https://icac-ojjdp.ncjrs.gov/layouts/ICACLogon>. The following measures are a sampling of the core performance measures for the ICAC Task Force Program, but applicants should examine all measures listed on the OJJDP ICAC Portal. Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Award recipients will be required to provide the relevant data by submitting performance metrics through the OJJDP ICAC Portal on a monthly, quarterly, and annual basis.

Performance measures

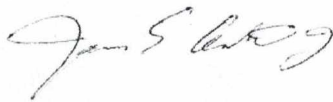
Objective	Performance Measure(s)	Data Grantee Provides
Maintain and expand state and regional ICAC task forces to prevent, interdict, investigate, and prosecute Internet Crimes against children.	Percentage increase in arrests.	<p>Number of ICAC-related arrests during the previous reporting period.</p> <p>Number of ICAC-related arrests during the current reporting period.</p>
Improve task force effectiveness in preventing, interdicting, investigating, and prosecuting Internet crimes against children.	<p>Percentage increase in staff dedicated to investigating and prosecuting Internet crimes against children.</p> <p>Percentage increase in investigations that led to an arrest or conviction.</p> <p>Percentage increase in prosecutions.</p>	<p>Number of investigators dedicated to investigating Internet crimes against children.</p> <p>Number of prosecutors dedicated to prosecuting Internet crimes against children.</p> <p>Number of education and forensic specialists dedicated to Internet crimes against children.</p> <p>Number of investigators/prosecutors/education and forensic specialists dedicated to Internet crimes against children during the previous reporting period.</p> <p>Number of investigations initiated for Internet crimes against children during the current reporting period.</p> <p>Number of investigations initiated for Internet crimes against children during the previous reporting period.</p> <p>Number of prosecutions for Internet crimes against children during the current reporting period.</p> <p>Number of prosecutions for Internet crimes against children during the previous reporting period.</p>
	Percentage increase in computer forensic examinations that ICAC task	Number of computer forensic examinations that ICAC task forces completed during the previous reporting period.

	forces complete.	Number of computer forensic examinations that ICAC task forces completed during the current reporting period.
	Percentage increase in investigative technical assistance sessions provided.	Number of investigative technical assistance sessions that ICAC task forces provided to nonmember law enforcement agencies during the current reporting period. Number of investigative technical assistance sessions that ICAC task forces provide to nonmember law enforcement agencies during the previous reporting period.
	Number of law enforcement agencies participating in the ICAC program standards.	Number of agencies that sign a memorandum certifying compliance with ICAC program standards.

Applicants must register in the Office of Justice Programs' (OJP's) electronic Grants Management System (GMS) prior to submitting an application for this invitation. Registration is required for all applicants, even those previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. The deadline to register in GMS is 8 p.m. eastern time on June 23, 2016, and the deadline to apply for funding under this invitation is 8 p.m. eastern time on June 30, 2016. See How to Apply in the attached guidance for complete instructions on registering and submitting an application through GMS, and details on the required application content and format.

I hope that this information is helpful in preparing your application for funding. If you have any questions or need further information, please contact Jacqueline O'Reilly by telephone at (202) 514-5024 or by email at Jacqueline.O'Reilly@usdoj.gov.

Sincerely,



James Antal
Associate Administrator
Youth Development, Prevention and Safety Division
Office of Juvenile Justice and Delinquency Prevention

Enclosure



FY 2016 Application Guidance for Invitations to Apply for ICAC Task Force Continuations

Applications Due: June 30, 2016

Contact Information

For technical assistance with submitting the application, contact the Grants Management System Support Hotline at 1-888-549-9901, option 3, or by email to GMS.HelpDesk@usdoj.gov. The GMS Support Hotline hours of operation are Monday – Friday from 6:00 a.m. to midnight eastern time, except federal holidays.

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must email the OJJDP contact identified in the cover letter **within 24 hours after the application deadline** and request approval to submit their application. Additional information on reporting technical issues is found under “Experiencing Unforeseen GMS Technical Issues” in the How to Apply section.

For assistance with any other requirements of this guidance, contact the OJP staff member identified in the cover letter.

Contents

I. Program Description	2
Overview	2
Program-Specific Information	2
Goals, Objectives, and Deliverables	2
Evidence-Based Programs or Practices	2
II. Federal Award Information	3
Type of Award	3

Financial Management and System of Internal Controls	3
Budget Information	4
Cost Sharing or Matching Requirement	4
Pre-Agreement Cost (also known as Pre-award Cost) Approvals	4
Limitation on Use of Award Funds for Employee Compensation; Waiver.....	4
Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.....	5
Costs Associated with Language Assistance (if applicable)	5
III. Application and Submission Information	5
What an Application Should Include	5
How to Apply	14
IV. Application Review Information	16
Review Process	16
V. Federal Award Administration Information	16
Federal Award Notices	16
Administrative, National Policy, and other Legal Requirements	17
General Information about Post-Federal Award Reporting Requirements.....	18
VI. Federal Awarding Agency Contact(s)	18
VII. Other Information	18
Provide Feedback to OJP	18
Application Checklist.....	20

Application Guidance for Invitations to Apply

I. Program Description

Overview

OJJDP was established to provide grants, cooperative agreements, and other assistance to organizations that OJJDP designates.

This program is authorized under the Missing and Exploited Children Programs within the Department of Justice Appropriations Act, 2016, Pub. L. No. 114-113; 129 Stat. 2242, 2309.

Program-Specific Information

See information in the cover letter.

Goals, Objectives, and Deliverables

See the goals, objectives and deliverables stated in the cover letter.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to the following:

- Improving the quantity and quality of evidence OJP generates
- Integrating evidence into program, practice, and policy decisions within OJP and the field
- Improving the translation of evidence into practice

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The [OJP CrimeSolutions.gov](http://OJP.CrimeSolutions.gov) website and OJJDP's [Model Program Guide](#) website are two resources that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

II. Federal Award Information

Awards will be made for a 12-month project period as specified in the cover letter. The funding amount for each ICAC task force is based on a formula that considers the factors set forth in Section 106(a)(2)(B)(I-VI) of the PROTECT Act. All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Type of Award¹

OJJDP expects that it will make any award from this Invitation to Apply in the form of a cooperative agreement, which is a particular type of grant used if OJJDP expects to have ongoing substantial involvement in award activities. Substantial involvement includes direct oversight and involvement with the grantee organization in implementation of the grant, but does not involve day-to-day project management. See [Administrative, National Policy, and other Legal Requirements](#), under [Section V. Federal Award Administration Information](#), for details regarding the federal involvement anticipated under an award from this Invitation to Apply.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including any recipient or subrecipient funded in response to this solicitation that is a pass-through entity²) must, as described in the Part 200 Uniform Requirements set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the recipient (and any subrecipient) is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in

¹ See generally 31 U.S.C. §§ 6301-6305 (defines and describes various forms of federal assistance relationships, including grants and cooperative agreements (a type of grant)).

² For purposes of this solicitation (or program announcement), "pass-through entity" includes any entity eligible to receive funding as a recipient or subrecipient under this solicitation (or program announcement) that, if funded, may make a subaward(s) to a subrecipient(s) to carry out part of the funded program.

“Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

(c) Evaluate and monitor the recipient’s (and any subrecipient’s) compliance with statute, regulations and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the recipient (or any subrecipient) considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

In order to better understand administrative requirements and cost principles, applicants are encouraged to enroll, at no charge, in the Department of Justice Grants Financial Management Online Training available [here](#).

Budget Information

Cost Sharing or Matching Requirement

Refer to the cost sharing or match requirement outlined in the cover letter.

Pre-Agreement Cost (also known as Pre-award Cost) Approvals

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. If approved, pre-agreement costs could be paid from grant funds consistent with a grantee’s approved budget, and under applicable cost standards. However, all such costs prior to award and prior to approval of the costs are incurred at the sole risk of an applicant. Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs. Should there be extenuating circumstances that appear to be appropriate for OJP’s consideration as preagreement costs, the applicant should contact the point of contact listed on the title page of this announcement for details on the requirements for submitting a written request for approval. See the section on Costs Requiring Prior Approval in the [Financial Guide](#), for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this invitation to apply, recipients may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government’s Senior Executive Service (SES) at an

agency with a Certified SES Performance Appraisal System for that year³. The 2016 salary table for SES employees is available at the Office of Personnel Management [website](#). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.) For employees who charge only a portion of their time to an award, the allowable amount to be charged is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully—before submitting an application—the OJP policy and guidance on conference approval, planning, and reporting available at www.ojp.gov/financialguide/DOJ/PostawardRequirements/PostawardRequirements/chapter3.10.a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients and of some conference, meeting, and training costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the [Civil Rights Compliance](#) section under “Solicitation Requirements” in [OJP’s Funding Resource Center](#).

III. Application and Submission Information

What an Application Should Include

³ OJP does not apply this limitation on the use of award funds to the non-profit organizations listed at Appendix VIII to 2 C.F.R. Part 200.

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude the recipient from accessing or using award funds pending satisfaction of the conditions.

Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget, it must contain **both** narrative and detail information. Please review the "Note on File Names and File Types" under "How to Apply" to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. Also, OJP recommends that applicants include resumes in a single file.

- 1. Information to complete the Application for Federal Assistance (SF-424)** The SF-424 is a required standard form used as a cover sheet for submission of preapplications, applications, and related information. GMS takes information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

Intergovernmental Review: This funding opportunity (program) **is not** subject to Executive Order 12372. (In completing the SF-424, applicants are to make the appropriate selection in response to question 19 to indicate that the "Program is not covered by E.O. 12372.")

2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be the following:

- Written for a general public audience
- Submitted as a separate attachment with "Project Abstract" as part of its file name
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

The abstract should include a brief description of the project's purpose, the population to be served, and the activities that the applicant will implement to achieve the project's goals and objectives. The abstract should describe how the applicant will measure progress toward these goals. The abstract should indicate whether the applicant will use any portion of the project budget to conduct research, as described in the Note on Project Evaluations section on page 8.

3. Program Narrative

Applicants must submit a program narrative that presents a detailed description of the purpose, goals, objectives, strategies, design, and management of the proposed program. The program narrative should be double-spaced with 1-inch margins, not exceeding 30 pages of 8½ by 11 inches, and use a standard 12-point font, preferably Times New Roman. Pages should be numbered "1 of 30," etc. The tables, charts, pictures, etc., including all captions, legends, keys, subtext, etc., may be single-spaced, and will count in the 30-page limit. Material required under the Budget and Budget Narrative and Additional Attachments sections will not count toward the program narrative page count. Applicants may provide bibliographical references as a separate attachment that will not count toward the 30-page program narrative limit. If the program narrative fails to comply with these length-related restrictions, OJJDP may consider such noncompliance in final award decisions.

The program narrative should address the following selection criteria: (1) statement of the problem; (2) goals, objectives, and performance measures; (3) program design and implementation; and (4) capabilities/competencies. The applicant should clearly delineate the connections between and among each of these sections. For example, the applicant should derive the goals and objectives directly from the problems to be addressed. Similarly, the project design section should clearly explain how the program's structure and activities will accomplish the goals and objectives identified in the previous section.

The following sections should be included as part of the program narrative.

- a. **Statement of the Problem.** Applicants should briefly describe the nature and scope of the problem that the program will address (e.g., Internet crimes against children and technology-facilitated child exploitation). The applicant should use data to provide evidence that the problem exists, demonstrate the size and scope of the problem, and document the effects of the problem on the target population and the larger community. Applicants should describe the target population and any previous or current attempts to address the problem.

Applicants should describe any research or evaluation studies that relate to the problem and contribute to the applicant's understanding of its causes and potential solutions. While OJJDP expects applicants to review the research literature for relevant studies, they should also explore whether unpublished local sources of research or evaluation data are available.

- b. **Goals, Objectives, and Performance Measures.** Applicants should describe the goals of the proposed program and identify its objectives. When formulating the program's goals and objectives, applicants should be cognizant of the performance measures that OJJDP will require successful applicants to provide.

Goals. Applicants should describe the program's intent to change, reduce, or eliminate the problem noted in the previous section and outline the project's goals.

Program Objectives. Applicants should explain how the program will accomplish its goals. Objectives are specific, quantifiable statements of the project's desired

results. They should be clearly linked to the problem identified in the preceding section and measurable.

Performance Measures. To demonstrate program progress and success, as well as, to assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993(GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this program must provide data that measure the results of their work done under this program. OJP will require any award recipient, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Information regarding the performance measures can be found in the cover letter.

OJJDP does not require applicants to submit performance measures data with their application. Performance measures are included as an alert that OJJDP will require successful applicants to submit specific data as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should they receive funding.

Note on Project Evaluations

Applicants that propose to use funds awarded through this invitation to apply to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP Funding Resource Center. Applicants whose proposals may involve a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that Web page.

- c. Project Design and Implementation.** Applicants should detail how the project will operate throughout the funding period and describe the strategies that they will use to achieve the goals and objectives identified in the previous section.

This section should also include details regarding any leveraged resources (cash or in-kind) from local sources to support the project and discuss plans for sustainability beyond the grant period.

Applicants should identify any other federal, state, or private foundation grants that serve the same local area and target population.

Timeline. Applicants should submit a realistic timeline or milestone chart that indicates major tasks associated with the goals and objectives of the project, assigns responsibility for each, and plots completion of each task by month or quarter for the duration of the award, using "Year 1," "Month 1," "Quarter 1," etc., not calendar dates (see "Sample Project Timelines" at www.ojjdp.gov/grantees/timelines.html).

Applicants should submit the timeline as a separate attachment, as stipulated in Additional Attachments, page 12. On receipt of an award, the recipient may revise the timeline, based on training and technical assistance that OJJDP will provide.

d. Capabilities and Competencies. This section should describe the experience and capability of the applicant organization and any contractors or subgrantees that the applicant will use to implement and manage this effort and its associated federal funding, highlighting any previous experience implementing projects of similar design or magnitude. Applicants should highlight their experience/capability/capacity to manage subawards, including details on their system for fiscal accountability. Management and staffing patterns should be clearly connected to the project design described in the previous section. Applicants should describe the roles and responsibilities of project staff and explain the program's organizational structure and operations. Applicants should include a copy of the organizational chart showing how their organization operates, including who manages the finances; how the applicant manages subawards, if there are any; and the management of the project proposed for funding.

Letters of Support/Memoranda of Understanding. If submitting a joint application, applicants should provide signed and dated letters of support or memoranda of understanding for all key partners that include the following:

- expression of support for the program and a statement of willingness to participate and collaborate with it.
- description of the partner's current role and responsibilities in the planning process and expected responsibilities when the program is operational.
- estimate of the percent of time that the partner will devote to the planning and operation of the project.

4. Budget Detail Worksheet and Budget Narrative

Applicants should provide a budget that (1) is complete, allowable, and cost-effective in relation to the proposed activities; (2) shows the cost calculations demonstrating how

they arrived at the total amount requested; and (3) provides a brief supporting narrative to link costs with project activities. The budget should cover the entire award period.

For questions pertaining to budget and examples of allowable and unallowable costs, see the Financial Guide at <http://ojp.gov/financialguide/DOJ/index.htm>.

Applicants should provide for the travel of one individual to attend three meetings of ICAC task force commanders during the 12-month project period.

Pursuant to Section 106(c) of the PROTECT Act, grantees may use funds to support the following activities:

- hiring personnel, to include investigators, prosecutors, education specialists, and forensic specialists.
- establishing and supporting forensic laboratories used in Internet crimes against children investigations.
- supporting investigations and prosecutions of Internet crimes against children.
- conducting and assisting with education programs to help children and parents protect themselves from Internet predators.
- conducting and attending training sessions related to effective investigations and prosecutions of Internet crimes against children.
- funding any other activities directly related to preventing, investigating, or prosecuting Internet crimes against children.

For questions pertaining to budget and examples of allowable and unallowable costs, see the Financial Guide at <http://ojp.gov/financialguide/DOJ/index.htm>.

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. Applicants that submit the budget in a different format should include the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should be broken down by year.

b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

c. Non-Competitive Procurement Contracts In Excess of Simplified Acquisition Threshold

If an applicant proposes to make one or more non-competitive procurements of products or services, where the non-competitive procurement will exceed the simplified acquisition threshold (also known as the small purchase threshold), which is currently set at \$150,000, the application should address the considerations outlined in the Financial Guide.

d. Pre-Agreement Cost Approvals

For information on pre-agreement costs, see “Pre-Agreement Cost Approvals” under Section V. Federal Award Information.

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only under the following circumstances:

- (a) The applicant has a current, federally approved indirect cost rate; or
- (b) The applicant is eligible to use and elects to use the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.414(f).

Attach a copy of the federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their cognizant federal agency, which will review all documentation and approve a rate for the applicant organization, or, if the applicant’s accounting system permits, costs may be allocated in the direct cost categories. For the definition of Cognizant Federal Agency, see the “Glossary of Terms” in the Financial Guide. For assistance with identifying your cognizant agency, please contact the Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf.

In order to use the “de minimis” indirect rate, attach written documentation to the application that advises OJP of both the applicant’s eligibility (to use the “de minimis” rate) and its election. If the applicant elects the “de minimis” method, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. In addition, if this method is chosen then it must be used

consistently for all federal awards until such time as you choose to negotiate a federally approved indirect cost rate.⁴

6. Applicant Disclosure of High Risk Status

Applicants are to disclose whether they are currently designated high risk by another federal grant making agency. This includes any status requiring additional oversight by the federal agency due to past programmatic or financial concerns. If an applicant is designated high risk by another federal grant making agency, you must email the following information to OJPComplianceReporting@usdoj.gov at the time of application submission:

- The federal agency that currently designated the applicant as high risk
- Date the applicant was designated high risk
- The high risk point of contact name, phone number, and email address, from that federal agency
- Reasons for the high risk status

OJP seeks this information to ensure appropriate federal oversight of any grant award. Disclosing this high risk information does not disqualify any organization from receiving an OJP award. However, additional grant oversight may be included, if necessary, in award documentation.

7. Additional Attachments

a. Applicant Disclosure of Pending Applications

Applicants are to disclose whether they have pending applications for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this invitation to apply and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this invitation to apply. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to State agencies that will be subawarding federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The Federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

⁴ See 2 C.F.R. § 200.414(f).

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Applicants should include the table as a separate attachment to their application. The file should be named "Disclosure of Pending Applications."

Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g., "[Applicant Name on SF-424] does not have pending applications submitted within the last 12 months for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed in response to this invitation to apply and will cover the identical cost items outlined in the budget narrative and worksheet in the application in response to this invitation to apply.").

- b. **timeline or milestone chart** (see Timeline, page 9)
- c. **resumes** of all key personnel
- d. **job descriptions** outlining roles and responsibilities for all key positions
- e. **letters of support/memoranda of understanding** from partner organizations

8. Financial Management and System of Internal Controls Questionnaire

In accordance with the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.205, Federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a Federal award. To facilitate part of this risk evaluation, **all** applicants (other than an individual) are to download, complete, and submit this form.

9. Disclosure of Lobbying Activities

All applicants must complete this information and submit the form in GMS with the application. Access to funds may be withheld if this form is not submitted.

Any applicant that expends any funds for lobbying activities is to provide the detailed information requested on the form, Disclosure of Lobbying Activities (SF-LLL). Applicants that do not expend any funds for lobbying activities are to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

How to Apply

Applicants must submit applications through the Grants Management System (GMS), which provides support for the application, award, and management of awards at OJP. Applicants **must register in GMS for each specific funding opportunity** and should **register immediately** to meet the GMS registration deadline for this funding opportunity, especially if this is their first time using the system. Find complete instructions on how to register and submit an application in GMS at www.ojp.gov/gmscbt/. Applicants that experience technical difficulties during this process should email GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday – Friday from 6:00 a.m. to midnight Eastern Time, except Federal holidays. OJP recommends that applicants **register promptly** to prevent delays in submitting an application package by the deadline.

Note on File Types: GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

OJP may not make a federal award to an applicant organization until the applicant organization has complied with all applicable DUNS and SAM requirements. Individual applicants must comply with all Grants.gov requirements. If an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

All applicants should complete the following steps:

- 1. Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
- 2. Acquire registration with the System for Award Management (SAM).** SAM is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database.

Applicants must **update or renew their SAM registration annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire a GMS username and password.** New users must create a GMS profile by selecting the "First Time User" link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.gov/gmscbt/.
4. **Verify the SAM (formerly CCR) registration in GMS.** OJP requests that all applicants verify their SAM registration in GMS. Once logged into GMS, click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Select OJJDP and the FY 16 Internet Crimes Against Children Task Force Invited Applications.
6. **Register by selecting the "Apply Online" button associated with the funding opportunity title.** The search results from step 5 will display the funding opportunity title along with the registration and application deadlines for this funding opportunity. Select the "Apply Online" button in the "Action" column to register for this funding opportunity and create an application in the system.
7. **Follow the directions in GMS to submit an application consistent with this guidance.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before submitting an application. OJP urges applicants to submit the application **at least 72 hours prior** to the application due date.

Note: Duplicate Applications

If an applicant submits multiple versions of the same application, OJJDP will review only the most recent system-validated version submitted. See Note on "File Names and File Types" under How to Apply.

Experiencing Unforeseen GMS Technical Issues

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must contact the [GMS Help Desk](#) or the [SAM Help Desk](#) to report the technical issue and receive a tracking number. Then the applicant must email the OJJDP contact identified in the cover letter **within 24 hours after the application deadline** and request approval to submit their application. The email must describe the technical difficulties and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any GMS Help Desk or SAM tracking number(s). **Note: OJJDP does not approve requests automatically.** After the program office reviews the submission, and contacts the GMS Help Desk to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the applicant failed to follow all

required procedures, which resulted in an untimely application submission, OJP will deny the applicant's request to submit their application.

The following conditions are generally insufficient to justify late submissions:

- Failure to register in SAM or GMS in sufficient time (SAM registration and renewal can take as long as 10 business days to complete.)
- Failure to follow GMS instructions on how to register and apply as posted on the GMS website
- Failure to follow each instruction in the OJP invitation letter or guidance
- Technical issues with the applicant's computer or information technology environment, including firewalls

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page at <http://ojp.gov/funding/index.htm>.

IV. Application Review Information

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The OJJDP reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the invitation to apply and any associated program(s).

OJP reviews applications for potential discretionary awards to evaluate the risks posed by applicants before they receive an award. This review may include but is not limited to the following:

1. Financial stability and fiscal integrity
2. Quality of management systems and ability to meet the management standards prescribed in the Financial Guide
3. History of performance
4. Reports and findings from audits
5. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on award recipients

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may consider factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

V. Federal Award Administration Information

Federal Award Notices

OJP sends award notification by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. The email notification includes detailed instructions on how to access and view the award documents, and how to accept the award in GMS. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date

(by September 30, 2016). Recipients will be required to login; accept any outstanding assurances and certifications on the award; designate a financial point of contact; and review, sign, and accept the award. The award acceptance process involves physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

Administrative, National Policy, and other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements, including but not limited to OMB, DOJ or other federal regulations which will be included in the award, incorporated into the award by reference, or are otherwise applicable to the award. OJP strongly encourages prospective applicants to review the information pertaining to these requirements **prior** to submitting an application. To assist applicants and recipients in accessing and reviewing this information, OJP has placed pertinent information on its [Solicitation Requirements](#) page of [OJP's Funding Resource Center](#) web pages.

Please note in particular the following two forms, which applicants must accept in GMS prior to the receipt of any award funds, as each details legal requirements with which applicants must provide specific assurances and certifications of compliance. Applicants may view these forms in the Apply section of [OJP's Funding Resource Center](#) and are strongly encouraged to review and consider them carefully prior to making an application for OJP grant funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Standard Assurances](#)

Upon grant approval, OJP electronically transmits (via GMS) the award document to the prospective award recipient. In addition to other award information, the award document contains award terms and conditions that specify national policy requirements⁵ with which recipients of federal funding must comply; uniform administrative requirements, cost principles, and audit requirements; and program-specific terms and conditions required based on applicable program (statutory) authority or requirements set forth in OJP solicitations and program announcements, and other requirements which may be attached to appropriated funding. For example, certain efforts may call for special requirements, terms, or conditions relating to intellectual property, data/information-sharing or -access, or information security; or audit requirements, expenditures and milestones, or publications and/or press releases. OJP also may place additional terms and conditions on an award based on its risk assessment of the applicant, or for other reasons it determines necessary to fulfill the goals and objectives of the program.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions, via the [Mandatory Award Terms and Conditions](#) page of [OJP's Funding Resource Center](#).

⁵ See generally 2 C.F.R. 200.300 (provides a general description of national policy requirements typically applicable to recipients of Federal awards, including the Federal Funding Accountability and Transparency Act of 2006 (FFATA)).

As stated above, OJJDP anticipates that it will make any award from this solicitation in the form of a cooperative agreement. Cooperative agreement awards include standard “federal involvement” conditions that describe the general allocation of responsibility for execution of the funded program. Generally-stated, under cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient in implementing the funded and approved proposal and budget, and the award terms and conditions. Responsibility for oversight and redirection of the project, if necessary, rests with OJJDP. OJJDP's role will include the following tasks:

- Reviewing and approving major work plans, including changes to such plans, and key decisions pertaining to project operations.
- Reviewing and approving major project-generated documents and materials used to provide project services.
- Providing guidance in significant project planning meetings and participating in project-sponsored training events or conferences.

In addition to any “federal involvement” condition(s), OJP cooperative agreement awards include a special condition specifying certain reporting requirements required in connection with conferences, meetings, retreats, seminars, symposium, training activities, or similar events funded under the award, consistent with OJP policy and guidance on conference approval, planning, and reporting.

General Information about Post-Federal Award Reporting Requirements

Recipients must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements. Future awards and fund drawdowns may be withheld if reports are delinquent.

Special Reporting requirements may be required by OJP depending on the statutory, legislative or administrative obligations of the recipient or the program.

VI. Federal Awarding Agency Contact(s)

For Federal Awarding Agency Contact(s), see title page.

For contact information for GMS, see title page.

VII. Other Information

Provide Feedback to OJP

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this guidance, the application submission process, and/or the application

review/peer review process. Feedback may be provided to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of this invitation or guidance, **you must** directly contact the appropriate number or email listed on the invitation letter. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to ojppeerreview@lmsolas.com. The OJP Solicitation Feedback email account will not forward your résumé. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

Application Checklist OJJDP FY 16 Internet Crimes Against Children Task Forces

This application checklist has been created to assist in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

- _____ Acquire a DUNS Number (see page 14)
- _____ Acquire or renew registration with SAM (see page 14)

To Register with GMS:

- _____ For new users, acquire a GMS username and password* (see page 15)
- _____ For existing users, check GMS username and password*
to ensure account access (see page 15)
- _____ Verify SAM registration in GMS (see page 15)
- _____ Search for correct funding opportunity in GMS (see page 15)
- _____ Select correct funding opportunity in GMS (see page 15)
- _____ Register by selecting the "Apply Online" button associated with the funding opportunity
title (see page 15)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting
available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm
(see page 5)
- _____ If experiencing technical difficulties in GMS, contact the [SAM Help Desk](#) or the Grants
Management System Support Hotline at 1-888-549-9901, option 3, or by email to
GMS.HelpDesk@usdoj.gov.
(see page 15)

*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contacts designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official nor a designated point of contact associated with an award or application.”

General Requirements:

- _____ Review [Solicitation Requirements](#) web page in [OJP's Funding Resource Center](#).

Scope Requirement:

- _____ The federal amount requested is the amount stated in the cover letter as approved for your task force.

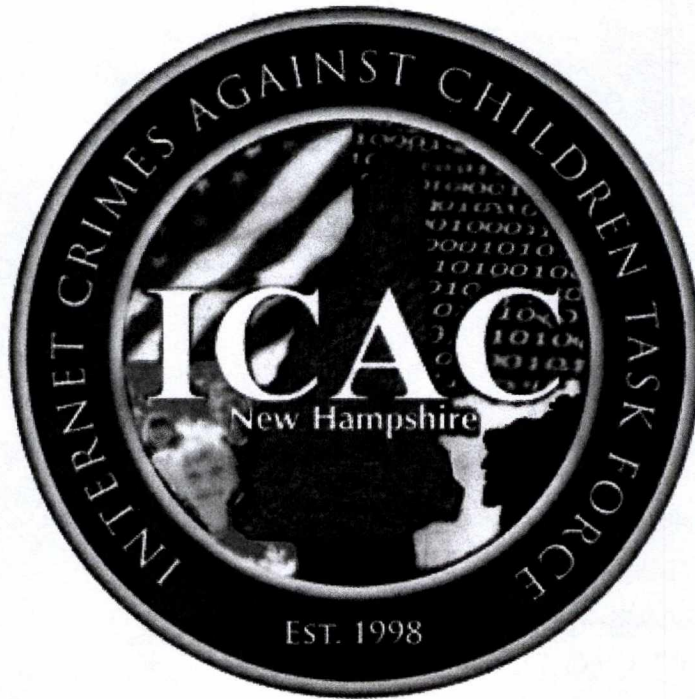
What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 6)
- _____ Project Abstract (if applicable) (see page 6)
- _____ Program Narrative (see page 6)
- _____ Budget Detail Worksheet (see page 10)

_____	Budget Narrative	(see page 10)
_____	Indirect Cost Rate Agreement (if applicable)	(see page 11)
_____	Applicant Disclosure of High Risk Status	(see page 12)
_____	Additional Attachments	
_____	Applicant Disclosure of Pending Applications	(see page 12)
_____	Timeline or milestone chart	(see pages 9 and 13)
_____	Resumes	(see page 13)
_____	Job descriptions	(see page 13)
_____	Letters of Support/Memoranda of Understanding	(see pages 9 and 13)
_____	Financial Management and System of Internal Controls Questionnaire	(see page 13)
_____	Disclosure of Lobbying Activities (<u>SF-LLL</u>)	(see page 13)

Portsmouth Police Department
New Hampshire ICAC Task
Force Grant Application
Submitted

OJJDP FY 16 ICAC
APPLICATION FOR FUNDING
CITY OF PORTSMOUTH
NEW HAMPSHIRE
INTERNET CRIMES AGAINST CHILDREN TASK FORCE
OJJDP-2016



Contact: **Thomas A. Grella, Detective Sergeant**
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ABSTRACT

NH ICAC Task Force Mission: To identify, investigate, and arrest criminals who use digital technologies to exploit children for personal or commercial gain. Concentrated efforts include the following investigations:

- Reactive investigations designed to prevent the manufacturing and distribution of child sexual abuse images.
- Proactive undercover investigations monitor and infiltrate social networking sites and online chat rooms where a suspect poses a credible threat to children in cases such as: Sexual solicitation, kidnapping, extortion, terrorizing, or any act which by its nature endangers a juvenile.
- Cybertip Investigations in cases such as: Child abuse and child neglect investigations as well as reports of missing children, Human Trafficking and Child Prostitution.
- Proactive and reactive investigations into online merchants which purport to provide or facilitate services that exploit or endanger children.
- Providing technical and digital forensic assistance to the NH State Police's Child Abduction Response Team (CART).
- Provide assistance to prosecutorial efforts on the state and federal level through training and support.
- Provide assistance to any law enforcement agency where ICAC technical and practical law enforcement expertise may facilitate a resolution to a criminal investigation.

Monies awarded provide programmatic assistance to affiliates who designate their personnel in these efforts and provides the salary and benefits for positions such as the task force commander. Monies will be used to maintain forensic workstations, the centrally located NH ICAC lab, and to purchase equipment used to process the digital evidence gathered at crime scenes.

A successful task force must be staffed with competent team members. Forensic examiners must be astute to emerging technologies and techniques to process these systems. Investigators and interviewers must be aware of criminal methodologies, trends, and habits utilized by commercial enterprises that seek to exploit children. Prosecutors must have the expertise to present these cases successfully at trial. The NH Task Force provides training to meet this demand.

The NH ICAC Task Force recognizes the importance of community education and its connection to crime prevention. Curriculum will be distributed through community outreach programs, live presentations, or through learning institutions. By educating community members, we hope to lower the victimization rates while increasing the number of bona fide police reports. Ultimately, this allows the police to respond faster and with greater effectiveness to these crimes.

Standardized statistical and progress reporting instruments provided by OJJDP will be used to evaluate performance and progress.

FY 2016 Continuation Grant Application-NH
Project Timeline

Month	Project Goal	Related Objective	Activity	Expected Completion	Person Responsible
1 - 12	Provide operational support and promote task force development for New Hampshire ICAC to conduct rapid, thorough, and legally defensible investigations related to technology facilitated exploitation of children.	Provide a limited number of hours for ICAC investigations, forensic examinations and other related ICAC duties by providing overtime reimbursement for these functions.	Utilize funding provided by this grant to pay salaries and benefits of Portsmouth PD employees as approved.	Year 1	Administrative Manager Karen Senecal
1 - 12		Provide a limited number of man hours for ICAC investigations, forensic examinations and other related duties by providing reimbursement for overtime incurred by task force affiliate agencies.	Reimburse Affiliate Agencies for overtime salaries & related fringe benefits for overtime costs incurred by task force affiliate agencies related to ICAC investigations, forensic examinations and other related duties.	Year 1	Administrative Manager Karen Senecal
1 - 12		Guarantee attendance at nationally coordinated meetings of the state and regional ICAC Task Force commanders.	Ensure mandatory attendance of the NH ICAC Commander or his designee at these functions.	Quarter 2 Quarter 3 Quarter 4	NH ICAC Commander Thomas A. Grella
1 - 12		By the end of this project, increase the number of task force affiliate agencies by three.	Promote the ICAC Mission and the organizational benefits of being an ICAC Affiliate at police trainings, conferences, and meetings.	Year 1	NH ICAC Commander Thomas A. Grella
1-12		By the end of this project improve NH ICAC prosecutorial capacity.	Demonstrate increases in local and state prosecutions as well as cases referred to the United States Attorney for prosecution.	Year 1	NH ICAC Commander Thomas A. Grella
1 - 12	Increase the overall capacity of the NH ICAC task Force by providing specialized training to investigators, forensic examiners, and police prosecutors.	By the end of this project, maintain the position of ICAC training coordinator.	Facilitate & provide technical training assistance to forensic examiners as well as investigative training for law enforcement agencies.	Year 1	NH ICAC Commander Thomas A. Grella
1 - 12		By the end of this project increase the number of forensic examiners by two.	Facilitate & provide funding for advanced training in forensics for computers and other connected technologies.	Year 1	NH ICAC Commander Thomas A. Grella
1-12		Maintain the current number of forensic investigators.	Continue to facilitate & provide funding for training of investigators.	Year 1	NH ICAC Commander Thomas A. Grella
1 - 12		By the end of this project increase the number of forensic interviewers by two.	Facilitate & provide training for interview specialists.	Year 1	NH ICAC Commander Thomas A. Grella
1 - 12		By the end of this project train at least two prosecutors assigned to county attorney's offices in New Hampshire.	Facilitate & provide funding for training for prosecutors.	Year 1	NH ICAC Commander Thomas A. Grella
1 - 12					
1 - 12	Facilitate greater consistency and communication between key participating ICAC agencies.	Support the ICAC Advisory Committee by facilitating quarterly meetings.	Encourage affiliate agencies to contribute curriculum to the Advisory Committee for evaluation.	Year 1	NH ICAC Commander Thomas A. Grella
1-12	Increase public education and community outreach programs and presentations	By the end of this project maintain or increase the number of educational and community outreach programs from last year's total of 43 events or at least 45 events.	Conduct internet and connected technology safety presentations for schools, parent organizations, and community groups throughout New Hampshire.	Year 1	NH ICAC Commander Thomas A. Grella
1-12	Increase collaboration between NH ICAC and other national task forces to ensure investigations are conducted effectively, completely, and independent of other law enforcement agencies.	Minimize redundant investigative efforts and compromised investigations.	Utilize proven deconfliction tools and the ICAC list serv.	Year 1	NH ICAC Commander Thomas A. Grella
1-12	Ensure the mental health of affiliate members is protected.	In previous years affiliate agencies were introduced to a mental health doctor and provided contact information.	Affiliate agencies will be reminded of the mental health resources available to them.	Year 1	NH ICAC Commander Thomas A. Grella
1-12	Maintain relationship with Homeland Security (HSI) Investigations and Immigration Customs Enforcement (ICE)	Continue to staff and outfit a lab centrally located in Manchester in space shared with HSI and ICE.	Utilize funding provided by this grant to purchase equipment and train investigators to examine electronic devices.	Year 1	NH ICAC Commander Thomas A. Grella

PROBLEM STATEMENT

High speed internet access and other connected technologies have never been more accessible. Even in the state's most remote areas we find these technologies flourishing especially well. According to the United States Department of Commerce report dated May 2013, New Hampshire connectivity to the Internet is significantly higher, relative to the national average.¹ The ongoing construction of new cellular towers and the latest evolutions of wireless 3G and 4G tablets and cell phones have also bridged the physical boundaries which once limited internet access. The latest mobile devices now allow users to harness nearly all the capabilities of fully functional desktop workstations while still being located in the most rural areas. Marketing strategies have also facilitated computer usage. Internet service providers offer steep discounts to their customers who bundle their internet and cellular services. For those who do not subscribe to an ISP, free wireless service is now as common as parking at or near many businesses and public libraries. Now laundromats, automotive service stations, even bars are promoting free wireless connections to attract new customers.

Cellular technology offers a cheap, if not free, way for children to socialize with their peers. The adoption of text messaging by teenagers is simply extraordinary. Text messaging has actually surpassed verbal communication as the primary way of interacting in areas throughout the country. According to an April 9, 2015 report from the Pew Research Center, 92% of teens go online daily, including 24% who said they go online "almost constantly". Teenagers and adolescents interact with strangers in social networking sites such as Omegle.com, MeetMe and Tumblr. These interactions have resulted in the potential exploitation of naive children. We are seeing a similar trend in the online gaming community. Interactive video games are now the norm. This means that

¹ www.census.gov Computer and Internet Use in the United States, May 2013

once the game is integrated with an internet connection, the player can play with (or against) other live players around the world and while doing so, can communicate directly with their peers.

That's not to say that computer technology has had a positive impact on young people. Communication has never been so accessible and inexpensive. Kids can now socialize with their friends anywhere without restriction. Facebook continues to be one of the most popular and frequently used social media platforms among teens; half of teens use Instagram, and nearly as many use Snapchat.² Because the benefit of computers is immediately apparent to children, kids do not need encouragement to embrace these tools. Even when malfunctions do occur, often the child can troubleshoot the problem without help. This has made children more intelligent and has motivated them to become independent at younger ages. The internet has also opened up educational opportunities which just over a decade ago were concepts reserved for works of science fiction. The online environment presents infinite opportunities for kids to engage in interactive activities, increase their cultural awareness, and access to educational curriculum which was once too expensive or inaccessible.

Unfortunately, as the country embraced computer technology, simultaneously, a more nefarious group migrated to the internet. Criminals immediately realized that the internet could be used to promote their illicit activities. At the forefront of this movement were individuals seeking to exploit children naive to the dangers of online communications. Other studies draw similar conclusions. Another survey reports: "One-third of teens are considering meeting face-to-face with a stranger they met online with 14% of those confirming that they have already had such an encounter." In addition, 45% of those polled have been solicited for personal information by a

² <http://www.pewinternet.org/2015/04/09/teens-social-media-technology-2015/> "Teens Media & Technology Overview 2015

stranger. More alarming, is the fact that only 18% of youth said they disclosed these encounters with their parents or guardians.

To reduce the online exploitation of children, ICAC Task Force members must be astute with the latest advances in technology. This is far from an easy assignment, because when new technology emerges, so does the complexity and volume of these cases. Prosecutors also feel this pressure. Attorneys are often confused by the forensic terminology and the multijurisdictional structure of these investigations as it can be difficult to follow. Additionally, it seems like new case law is passed on a regular basis relevant to ICAC investigations. Meeting these challenges starts with training, education, and logistical support. Digital evidence cannot be processed by just anyone. The skill-set of forensic examiners represents the highest level of expertise in the law enforcement arena. Affiliates must continuously update their forensic tools and prosecutors should attend routine conferences relevant to the latest legal developments. The current economic climate has not helped to meet these tasks. Local, county, and state law enforcement agencies continue to see their budgets cut. Prosecuting agencies, already overloaded with their own caseloads, strain under the weight of new ICAC referrals. Combined with all this, despite continued task force growth, the alarming fact remains: the online exploitation of children is not subsiding. Hence, the OJJDP FY ICAC Task Force Grant is essential for NH ICAC Task Force to protect children.

In July of 2012, Kathryn Miller of the UNH Justice Studies Master's Program, interned with the NH ICAC Task Force. By compiling statistical information provided by the NH ICAC Task Force, Ms. Miller completed a report titled "Trends and Predications Moving Forward".

The main focus of the report was to determine if internet crimes against children were increasing or decreasing in NH. Also examined was if there were specific types of crimes and to

New Hampshire Internet Crimes Against Children Task Force
 OJJDP FY 16 ICAC – PROGRAM NARRATIVE

ultimately project if these crimes would continue to rise or decline over the next two years and if so, at what rate.

The findings were of no particular surprise. Based on the oversight of day-to-day operations of the NH ICAC Task Force, it is quite evident there is an increase in the workload of the investigators and support personnel. Ms. Miller’s report was very beneficial and among other things, allowed us to better allocate our resources and develop specific training topics.

From 2014 to 2015 the NH ICAC Task Force saw the following trends in criminal activity:

Measure	2014	2015
Sexual Exploitation Investigations		
Distribution	51	51
Possession	108	116
Search Warrants		
Federal	16	20
State / Local	106	82
Technical Assistance		
*Technical Support	463	566
*Forensic Exams	446	999
Cybertips	295	349

* The increase in the category of Technical Assistance is a reflection of a change in reporting requirements set forth by DOJ. These numbers are made up of the number of hard drives, (196) cell phones (362) CDs and DVDs (129) other loose media such as thumb drives and SD cards (192) that were examined by ICAC Task Force personnel. Even with this change in performance measures, the number of items examined seems consistent with the findings of Ms.

Miller's report. What is also consistent is the increase in the size and number of computer systems that are being seized and the number of hours the analysts need to complete a forensic examination.

Law enforcement agencies in NH working with the Task Force are beginning to see their staffing levels increase to a level to where they were several years ago. Many times the investigators assigned to the Task Force are being forced to investigate cases other than those involving child exploitation and electronic evidence. These same personnel are also less trained than those they replaced.

Training	2014	2015
**Law Enforcement		
Officers	186	209
Prosecutors	5	9

In the fall of 2012, a Memorandum of Understanding was signed between the NH ICAC Task Force/ The Portsmouth Police Department and Homeland Security Investigations (HSI)/ Immigration Customs Enforcement (ICE) to establish a computer lab. The lab is located at the Norris Cotton Federal Building in Manchester, NH.

Sgt. Grella, Commander NH ICAC Task Force, maintains the responsibility of assigning investigators and scheduling the intake of evidence to the lab. He also maintains a positive working relationship with HSI/ICE personnel. All equipment purchases and the overall design of the lab remain under the supervision of Sgt. Grella.

With the implementation of a centrally located lab, we are seeing a decrease in the number of hours it takes to complete a forensic exam. We hope to continue streamlining the process from evidence intake to completion of all reports. With the ability for several examiners to work together in common areas, they are able to share ideas on executing examination tasks and prepare a better a case for court in less time.

New Hampshire Internet Crimes Against Children Task Force
OJJDP FY 16 ICAC – PROGRAM NARRATIVE

Although many affiliates are offering presentations in their own community, one ICAC investigator has gone to many communities throughout the state, speaking at various schools and educational facilities. His efforts helped to maintain the number of events.

Community Outreach	2014	2015
Presentations	39	54
Attendees	1,627	4,595

The NH ICAC Task Force is proud to assert it was one of the First Tier ICAC task forces established under the 1998 Department of Justice Grant. Since then, the NH ICAC Task Force continued to build its capacity in order to improve its ability to arrest criminals that exploit our youth. We propose to continue achieving this goal by using grant funds for: Training, improvements to our lab located in Manchester, continue to support workstations throughout the state, case investigations, victim identification, case referrals, information sharing, and community outreach programs. But these noble endeavors come with a cost. Along with long hours, increased caseloads, and the pressure to show results within a deadline, exposure to the evidence and images associated with child sexual abuse can have a devastating effect on the emotional and psychological health of investigators. Working in conjunction with Supporting Heroes in Mental Health Training (shiftwellness.org), the Portsmouth Police Department has established a relationship with a mental healthcare professional who specializes in the treatment of law enforcement officers who investigate ICAC type cases. The goal is to ensure that investigators remain mentally fit to meet the responsibilities of their job so when they retire for the day, they are able to revert back into a healthy lifestyle once back home.

In an effort to streamline prosecution, NH ICAC created the NH ICAC Advisory Board. The purpose of this board is to assist departments and prosecutors in selecting the proper venue for cases to be heard (federal or state prosecution.) They work to streamline the prosecution of these cases and assist in allocating scarce resources where they will be most effective. Other topics for discussion include new case law, changes in personnel assignments, policy development, and other task force related issues.

This committee includes representatives from the U.S. Attorney, District of New Hampshire, the NH Attorney General, the Colonel of the NH State Police, the Resident Special Agent in Charge of the FBI, the Resident Special Agent in Charge of HSI, the Portsmouth Police Chief, and the Task Force Commander. Representation from the two police agencies other than Portsmouth represent special positions or areas of expertise and as such will rotate to other law enforcement officials on a two year basis. The other positions will remain permanent.

GOALS

- 1.0 Provide operational support and promote task force development for the NH ICAC Task Force to conduct rapid, thorough, and legally defensible investigations related to technology facilitated exploitation of children.
- 2.0 Increase the overall capacity of the NH ICAC Task Force by providing specialized training to investigators, forensic examiners, and police prosecutors.
- 3.0 Facilitate greater consistency in sentencing for criminal convictions through the use of a special committee comprised of executive and judicial professionals committed to the ICAC mission.
- 4.0 Increase public education and community outreach programs and presentations.

- 5.0 Increase collaboration between the NH ICAC Task Force and other national ICAC task forces to ensure investigations are conducted efficiently, completely, and independent of other law enforcement agencies.
- 6.0 Continue with the most appropriate mental health and wellness program supported by a mental health professional with specially trained officers to conduct peer training as a means to assist in promoting the mental well-being of investigators.
- 7.0 Continue to cultivate and maintain the relationship between the NH ICAC Task Force and the U.S. Department of Homeland Security / U.S. Immigration and Customs Enforcement (ICE) and continue to outfit and operate a centrally located lab.
- 8.0 Maintain at least five workstations throughout New Hampshire where NH ICAC Task Force analysts can perform certain portions of a computer forensic examination.

PROGRAM OBJECTIVES

- 1.1 Maintain current staffing levels of Commander (1.0) and an investigator/forensic examiner (.8).
- 1.2 Maintain man hours available for ICAC investigations, forensic examinations and other related ICAC duties by providing reimbursement for overtime incurred by task force affiliate agencies.
- 1.3 Guarantee attendance at nationally coordinated meetings of the state and regional ICAC Task Force commanders.
- 1.4 Demonstrate increases in local and state prosecutions as well as cases referred to the United States Attorney for prosecution.
- 2.1 By the end of this project increase the number of forensic examiners by one.

New Hampshire Internet Crimes Against Children Task Force
OJJDP FY 16 ICAC – PROGRAM NARRATIVE

- 2.2 Maintain the current number of Forensic Investigators.
- 2.3 By the end of this project increase the number of Forensic Interviewers by two.
- 2.4 By the end of this project have trained at least two (2) prosecutors assigned to county attorney's offices in New Hampshire.
- 2.5 By the end of this project increase the number of task force affiliate agencies by three.
- 3.1 To continue the efforts of the NH ICAC Advisory Committee, with quarterly meetings.
- 4.1 By the end of this project, to maintain or increase the number of education and community outreach programs from last year's total of 54.
- 5.1 To prevent redundant efforts and the possibility of compromising another law enforcement agency's investigation, by utilizing proven deconfliction tools.

PERFORMANCE MEASURES REQUIREMENTS

The measurement of performance of the New Hampshire ICAC Task Force shall be directly reflected by measured statistics for all tracked activities. Activity data shall include but not be limited to: Proactive & reactive investigations, cases referred for prosecutions both state and federal as well as the total number of positive dispositions, the number of subpoenas, search warrants executed, and indictments issued. In addition, the rates of forensic exams, technical assists, and generated referrals, the number of new task force affiliates, and the number of investigators, prosecutors, and victim advocates will all be reported. Finally, any and all other statistical information as required by OJJDP will also be reported.

DATA COLLECTION PLAN

The ICAC Commander will be assigned to gather, collect, collate and report all data and statistics as required to evaluate the performance of the New Hampshire ICAC Task Force in order to document and substantiate progress towards the goals and objectives of this grant and to report this progress to OJJDP as required. These performance measures will be tracked and reported as required by the Protect Act, and utilizing the standardized reporting instruments provided by OJJDP via the ICAC Portal.

PROJECT DESIGN AND IMPLEMENTATION

This project will run for a period of 12 months. The project shall begin July 01, 2016 and end on June 30, 2017.

The Portsmouth Police Department will continue to serve as grantee. The Portsmouth Police Department serves a city with a residential population of approximately 22,000 people with a current staff level of 62 full-time police officers, 26 auxiliary police officers, and 26 non-sworn dispatchers and clerical staff. The Department is organized into three major divisions: Patrol,

New Hampshire Internet Crimes Against Children Task Force
OJJDP FY 16 ICAC – PROGRAM NARRATIVE

Administration, and Investigations. The Investigative Services Division is responsible for major crime, domestic and child abuse investigations, juvenile delinquency, School Resource Officer (SRO) program, Seacoast Crime Stoppers, crime prevention, citizen volunteers, and the undercover narcotics unit. Detective Sergeant Thomas A. Grella will serve as the Task Force Commander and project director with overall responsibility for project management and budget oversight.

As the grantee, the Portsmouth Police Department will have the responsibility for overall project oversight, fiscal management, quality control, and supervision of affiliate agencies. The Portsmouth Police Department will implement and oversee training related to this project by implementing regional training programs and facilitating participation in the annual ICAC/PSC (Project Safe Child) Training Conference and other ICAC/PSC training. The Portsmouth Police Department will compile, maintain and expand a network of task force affiliate agencies within New Hampshire, (currently at 91). These agencies offer technical resources, criminal investigators and forensic examiners for investigating technology-facilitated crimes against and exploitation of children. Additionally, specialized prosecutor training and victim assistance for children and their parents will be facilitated.

The Portsmouth Police Department retains primary responsibility for receiving, assigning and disseminating all ICAC leads to include: Cybertips, Peer-to-peer investigations, solicitation investigations, and traveler cases throughout the state.

The Portsmouth Police Department will be responsible for all reporting requirements of this grant to include statistical reporting (compiling, collating and reporting), Progress Reports, case tracking, and any other reporting as required by the Protect Act and OJJDP.

New Hampshire Internet Crimes Against Children Task Force
OJJD FY 16 ICAC – PROGRAM NARRATIVE

FY 2016 Continuation Grant Application-NH
Project Timeline

Project Goal	Related Objective	Activity	Expected Completion	Person Responsible
Provide operational support and promote task force development for New Hampshire ICAC to conduct rapid, thorough, and legally defensible investigations related to technology facilitated exploitation of children.	Provide a limited number of hours for ICAC investigations, forensic examinations and other related ICAC duties by providing overtime reimbursement for these functions.	Utilize funding provided by this grant to pay salaries and benefits of Portsmouth PD employees as approved.	Year 1	Administrative Manager Karen Senecal
	Provide a limited number of man hours for ICAC investigations, forensic examinations and other related duties by providing reimbursement for overtime incurred by task force affiliate agencies.	Reimburse Affiliate Agencies for overtime salaries & related fringe benefits for overtime costs incurred by task force affiliate agencies related to ICAC investigations, forensic examinations and other related duties.	Year 1	Administrative Manager Karen Senecal
	Guarantee attendance at nationally coordinated meetings of the state and regional ICAC Task Force commanders.	Ensure mandatory attendance of the NH ICAC Commander or his designee at these functions.	Quarter 2 Quarter 3 Quarter 4	NH ICAC Commander Thomas A. Grella
	By the end of this project, increase the number of task force affiliate agencies by three.	Promote the ICAC Mission and the organizational benefits of being an ICAC Affiliate at police trainings, conferences, and meetings.	Year 1	NH ICAC Commander Thomas A. Grella
	By the end of this project improve NH ICAC prosecutorial capacity.	Demonstrate increases in local and state prosecutions as well as cases referred to the United States Attorney for prosecution.	Year 1	NH ICAC Commander Thomas A. Grella
Increase the overall capacity of the NH ICAC task Force by providing specialized training to investigators, forensic examiners, and police prosecutors.	By the end of this project, maintain the position of ICAC training coordinator.	Facilitate & provide technical training assistance to forensic examiners as well as investigative training for law enforcement agencies.	Year 1	NH ICAC Commander Thomas A. Grella
	By the end of this project increase the number of forensic examiners by two.	Facilitate & provide funding for advanced training in forensics for computers and other connected technologies.	Year 1	NH ICAC Commander Thomas A. Grella
	Maintain the current number of forensic investigators.	Continue to facilitate & provide funding for training of investigators.	Year 1	NH ICAC Commander Thomas A. Grella
	By the end of this project increase the number of forensic interviewers by two.	Facilitate & provide training for interview specialists.	Year 1	NH ICAC Commander Thomas A. Grella
	By the end of this project train at least two prosecutors assigned to county attorney's offices in New Hampshire.	Facilitate & provide funding for training for prosecutors.	Year 1	NH ICAC Commander Thomas A. Grella
Facilitate greater consistency and communication between key participating ICAC agencies.	Support the ICAC Advisory Committee by facilitating quarterly meetings.	Encourage affiliate agencies to contribute curriculum to the Advisory Committee for evaluation.	Year 1	NH ICAC Commander Thomas A. Grella
Increase public education and community outreach programs and presentations		Conduct internet and connected technology safety presentations for schools, parent organizations, and community groups throughout New Hampshire.	Year 1	NH ICAC Commander Thomas A. Grella
	By the end of this project maintain or increase the number of educational and community outreach programs from last year's total of 43 events or at least 45 events.			
Increase collaboration between NH ICAC and other national task forces to ensure investigations are conducted effectively, completely, and independent of other law enforcement agencies.	Minimize redundant investigative efforts and compromised investigations.	Utilize proven deconfliction tools and the ICAC list serv.	Year 1	NH ICAC Commander Thomas A. Grella
Ensure the mental health of affiliate members is protected.	In previous years affiliate agencies were introduced to a mental health doctor and provided contact information.	Affiliate agencies will be reminded of the mental health resources available to them.	Year 1	NH ICAC Commander Thomas A. Grella
Maintain relationship with Homeland Security (HSI) Investigations and Immigration Customs Enforcement (ICE)	Continue to staff and outfit a lab centrally located in Manchester in space shared with HSI and ICE.	Utilize funding provided by this grant to purchase equipment and train investigators to examine electronic devices.	Year 1	NH ICAC Commander Thomas A. Grella

CAPABILITIES AND COMPETENCIES

The Portsmouth Police Department has acted as a grantee and lead agency for the ICAC Task Force Program, in Northern New England since the inception of the program in 1998. In the initial days of the Task Force's inception, the Portsmouth Police Department managed all grant operations conducted by what was then known as the Northern New England ICAC Task Force. This included Portsmouth Police Department as well as a small number of affiliate agencies from Maine and Vermont.

Past employees of the Portsmouth Police Department continue to be highly active with the current ICAC mission. For example, former Portsmouth Police Chief Bradley J. Russ, is the Program Director for the National Criminal Justice Training Center of Fox Valley College as well as Retired Detective Timothy West, who is the Program Coordinator of the Montana ICAC Task Force. Additionally, Detective Mike Leclair retired on July 23, 2015. Detective Leclair has hundreds of hours of advanced training in computer forensics along with over ten years' experience as an ICAC Investigator. He was one of the most accomplished computer forensic experts in New England. Based on his experience, he was solicited for input on cases by federal enforcement agencies on a frequent basis. Detective Leclair logged over 100 hours as an instructor in computer forensics since October 2010. Following his retirement, Mike Leclair has been employed in the private sector as a member of a Digital Forensic Incident Response team. The team responds to companies that have experienced incidents of Network Intrusion. On occasion, Mike continues to volunteer for the NH ICAC Task Force by offering guidance and the latest investigative techniques to forensic examiners.

The accomplishments of these individuals along with other former employees and the current staff at the Portsmouth Police Department ensure that the NH ICAC Task Force is one of

New Hampshire Internet Crimes Against Children Task Force
OJJDP FY 16 ICAC – PROGRAM NARRATIVE

the most progressive in the nation. This also demonstrates an effective management strategy which spans more than eighteen years. All evidence points to the Portsmouth Police Department as having the required capabilities and competencies to carry out this project.

Detective Sergeant Thomas A. Grella currently acts as the Commander of the NH ICAC Task Force and has served in that capacity since 2011. He has over 26 years of law enforcement experience. He has received advanced training in the management and supervision of the ICAC Task Force and has attended ICAC Commander meetings. He has also attended ICAC Basic Investigative Techniques, Group Crisis / Peer to Peer Intervention training, and NH ICAC in-service training sessions. Up to 100% of Sgt. Grella's salary will be paid by this project.

Soon after the departure of Mike Leclair, Detective Duane Jacques was appointed to the role of forensic examiner representing the Portsmouth Police Department on the NH ICAC Task Force. Det. Jacques has been a member of the Portsmouth Police Department for over 11 years after serving with the Somersworth, NH Police Department for over four years. Prior to becoming a NH police officer, Duane served in the United States Marine Corps where he attained the rank of Corporal. Over the past year, Duane has attended extensive training in the area of mobile forensics and Windows operating systems. In addition, he is slated to attend more extensive training in the area of computer forensics and is a tremendous asset to the NH ICAC Task Force. Up to 80% of Det. Jacques salary will be covered by this project.

Karen Senecal is the Administrative/Fiscal Manager for this project. Ms. Senecal acts as the financial point of contact for this project. She is tasked with maintaining all fiscal documentation relevant to accounts receivable and payable. This includes management of grant monies, salary, employee benefits, audits, and other fiscal duties. No portion of Ms. Senecal's salary or benefits is or will be paid by this project.

ATTACHMENTS

1. Budget, Budget Detail Worksheet (Formula Display) & Budget Narrative
2. Resumes of all key personnel
 - a. Detective Sergeant Thomas A. Grella
 - b. Detective Duane Jacques
3. Letters of Support / Commitment
 - a. Portsmouth Police Commission
 - b. Rockingham County Attorney's Office

BUDGET NARRATIVE

Personnel (Salaries and Fringe Benefits):

The New Hampshire ICAC Task Force Commander will continue to oversee the implementation of the New Hampshire ICAC Task Force program and this project. Detective Sergeant Thomas A. Grella currently serves as the New Hampshire ICAC Task Force commander and will continue in this capacity. Detective Sergeant Grella contributes 100% of his duty time to this project and this project provides reimbursement of his salary and benefits. Detective Sergeant Grella is tasked with grant management, overall oversight of the task force and affiliates, staff meetings with affiliate CEOs, coordination with other state and regional ICAC Task Force programs, attendance at national ICAC grantee meetings, acts as spokesman for public information and media dissemination, Judiciary responsibilities, ICAC Advisory Committee, and other duties related to project implementation and oversight.

Detective Sergeant Grella is responsible for the day-to-day leadership of ICAC personnel as well as the management of task force affiliate agencies. He supervises all ICAC operations and ensures that the required federal statistical reporting is submitted as directed by OJJDP policy. Additional duties include but are not limited to: Processing all Cybertips received from NCMEC, statistical reporting, preparation and processing of operational documentation such as search warrants, subpoenas, and case files. He is responsible for overseeing the development and maintenance of the public access side of the NH ICAC website. He also holds the role of ICAC Training Coordinator, is responsible for equipment and supply acquisition, inventory management, and affiliate reimbursements. Additionally, he attends all ICAC search warrant operations.

Detective Duane Jacques was named to replace Detective LeClair. He has attended extensive training in computer forensics and achieved status as the forensic examiner for the

Portsmouth Police Department. He provides a minimum of 80% of his duty time to conducting ICAC forensic examinations, investigations, and assisting local federal law enforcement bureaus on a case-by-case basis. As such, this project will provide for reimbursement of a portion (80%) of Det. Jacques's salary and benefits.

Definitions:

Personnel/Salary: Grella – Sgt. Grella's salary is defined by the collective bargaining agreement between the Portsmouth Police Commission and the Portsmouth Police Ranking Officers Association (PPROA) effective 7/1/08-6/30/14. Currently this contract is up for negotiation. As a result, the salary figures included in the grant are **projected** based on an offer submitted for a potential tentative agreement effective 7/1/16.

The salary of Det. Jacques is defined by the collective bargaining agreement between the Portsmouth Police Commission and the Portsmouth Police Patrolman's Union, NEPBA Local 11 effective 7/1/08-6/30/14. Currently this contract is up for negotiation. As a result, the salary figures included in the grant are **projected** based on an offer submitted for a potential tentative agreement effective 7/1/16.

Overtime: Internet crime and the investigation/management of it are not contained in an 8-4 work day. A 12-month estimated number of after-hours time expected to be worked on program related activities have been detailed using the applicable OT rate on the salary scale.

FRINGE:

Holiday Day Pay: Both PPROA and Local 11 are paid for the 11.5 holidays listed below:

- (1) New Years's Day

- (1) Martin Luther King, Jr. Day
- (1) Presidents' Day
- (.5) Good Friday (one half day)
- (1) Memorial Day
- (1) Independence Day
- (1) Labor Day
- (1) Columbus Day
- (1) Veterans Day
- (1) Thanksgiving Day
- (1) Friday Following Thanksgiving Day
- (1) Christmas Day

Longevity Pay: Both PPROA and Local 11 are paid a stipend based on years of service, starting with year five of their employment. The employee goes up one step a year and the scale is impacted by the COLA each year as well per contract.

Clothing Stipend: Both PPROA and Local 11 are paid a stipend for PPD required clothing.

Special Detail Pay: Detectives, ranking and non-ranking alike, receive a stipend for being promoted (non-ranking) or assigned (ranking) to this division, per contract. It is a three step scale and impacted by the COLA each year.

Health: The city offers two health plans to sworn staff (@single/2-person/family levels). The rates are established by the Local Government Center and the percentage of employee/employer contribution is established in the union contract.

Dental: The city offers a dental plan with 100% of the premiums paid by the city (@single/2-person/family levels).

Retirement and Medicare: In the state of NH, all public employees are required to participate in the New Hampshire Retirement System (NHRS). Although civilians pay into both the NHRS and Social Security, sworn staff and the employer are required to pay significantly higher amounts into the NHRS and do not pay Social Security on any sworn staff earnings. The rate for FY16 (city's fiscal year) will be 26.38%. NHRS documents are below:

[Member benefit information](#)

[Retiree benefit information](#)

[2012 Annual Reports](#)

[RSA 100-A](#)

[Summary of Legislative Changes to NHRS, 2007-12](#)

[NHRS Administrative Rules](#)

[NHRS Policies](#)

Membership

NHRS has 85,492 members. There are 48,625 active members, who, along with their participating employers, contribute into the retirement system. The remaining members are either pension beneficiaries or former members no longer working in NHRS-eligible positions. Some of these non-contributing former members are "vested," meaning they have earned the right to a future pension based on their previous service or age; others are not vested. To be vested, a member must have a minimum of 10 years of creditable service or be working beyond the NHRS normal retirement age.

Retirement system members are state, county and municipal employees, teachers, police officers, and firefighters. The membership consists of two groups, Group I (Employee and Teacher) and Group II (Police and Fire).

Group I members make up 88.2 percent of the total active membership (50.9 percent Employee, 37.3 percent Teacher).

Group II members make up 11.8 percent of the total active membership (8.5 percent Police, 3.3 percent Fire).

The law governing the retirement system allows elected officials, officials appointed for fixed terms, unclassified state employees, and employees of the General Court who are eligible for membership in the retirement system to choose whether or not to join (some limitations apply). For all others working in NHRS-eligible positions, membership in the retirement system is mandatory.

The membership breakdown at the close of fiscal year 2012 was:

- 48,625 active, contributing members.
- 28,454 retirees or beneficiaries receiving pension benefits.
- 1,372 members no longer working in NHRS-eligible positions who are "vested," meaning they have earned the right to a future benefit.
- 7,041 members no longer working in NHRS-eligible positions who are not vested. (Regardless of vesting status, former workers may keep their accumulated contributions with the retirement system, or they may withdraw them.)

NHRS has 475 participating employers – the State of New Hampshire, individual communities, school districts, counties, and others. Not every political subdivision in New Hampshire participates in the retirement system for its Employee members, although most do. Participation is mandatory for Police, Fire, and Teacher members.



New Hampshire Retirement System
54 Regional Drive, Concord, NH 03301
Phone: (603) 410-3500 - Fax: (603) 410-3501
Website: www.nhrs.org - Email: info@nhrs.org

September 9, 2014

FROM: NHRS Board of Trustees
George P. Lagos, Executive Director

TO: Political Subdivisions, including Municipalities, School and Village Districts, Counties
and others

SUBJECT: EMPLOYER CONTRIBUTION RATES – MUNICIPAL
EFFECTIVE JULY 1, 2015 – JUNE 30, 2017

Pursuant to RSA 100-A:16, III, and the Actuarial Valuation of June 30, 2013, the New Hampshire Retirement System Board of Trustees at its September 9, 2014, meeting hereby certified the following employer rates of contribution due the retirement system beginning July 1, 2015, and ending June 30, 2017. Employers shall ensure that these rates are implemented for Earnable Compensation paid on and after July 1, 2015.

**EMPLOYER CONTRIBUTION RATES
EFFECTIVE JULY 1, 2015 – JUNE 30, 2016**

	<u>Pension Percentage</u>	<u>Medical Subsidy Percentage</u>	<u>Total Employer Percentage</u>
<u>GROUP I</u>			
Employees	10.86%	0.31%	11.17%
Teachers	12.72%	2.95%	15.67%
<u>GROUP II</u>			
Police	22.54%	3.84%	26.38%
Fire	25.32%	3.84%	29.16%

**EMPLOYER NORMAL CONTRIBUTION RATES
EFFECTIVE JULY 1, 2016 – JUNE 30, 2017**

	<u>Pension Percentage</u>	<u>Medical Subsidy Percentage</u>	<u>Total Employer Percentage</u>
<u>GROUP I</u>			
Employees	10.86%	0.31%	11.17%
Teachers	12.72%	2.95%	15.67%
<u>GROUP II</u>			
Police	22.54%	3.84%	26.38%
Fire	25.32%	3.84%	29.16%

The employer contribution rates must be applied to the covered payroll for each respective membership classification.

Please refer any questions regarding this memo to:
Denise M. Call
Director, NHRS Employer Services
603-410-3516 or email denise.call@nhrs.org



NH Retirement System
 54 Regional Drive
 Concord, NH 03301
 Phone: (603) 410-3500; www.nhrs.org

EARNABLE COMPENSATION

Earnable Compensation is the compensation paid to a member that may be included in calculating Average Final Compensation (AFC). Here is a summary of changes to the definition of Earnable Compensation pursuant to House Bill 2, Chapter 0224, Laws of 2011.

KEY: Y – Included as Earnable Compensation.
 N – Not included as Earnable Compensation.
 Y¹ – Excluded if member's NHRS-eligible service commenced on or after 7/1/11.
 *** – Contact NHRS.

Type of Compensation	Prior to HB 2	Effective On and After 1/1/12	
		Vested Prior to 1/1/12	Not Vested Prior to 1/1/12
Full Base Rate of Compensation Paid	Y	Y	Y
Overtime Pay	Y	Y	Y
Holiday Pay	Y	Y	Y
Vacation Pay	Y	Y	Y
Sick Pay	Y	Y	Y
Annual Longevity Pay	Y	Y	Y
Cost of Living Bonus	Y	Y	Y
Additional Pay for Extracurricular & Instructional Activities (Teacher members only)	Y	Y	Y
Military Differential Pay - No Termination of Employment	Y	Y	Y
Fair Market Value of Employer Furnished Meals & Lodging, if Subject to Federal Income Tax	Y	Y	Y
Supplemental Pay by Employer while Member is Receiving Workers' Comp.	Y	Y	Y
Teacher Development Pay Not Part of Contracted Salary	Y	Y	Y
Military Differential Pay After Employment Termination to Enter United States Armed Forces	Y	Y	Y
Extra or Special Duty Pay (Group II members only)	Y	Y ¹	Y ¹
Severance Pay	Y	Y	N
Cash Incentives Paid by Employer to Encourage Member to Retire	Y	Y	N
Pay for Unused Vacation Time	Y	Y	N
Pay for Unused Sick Time	Y	Y	N
End of Career Additional Longevity Pay	Y	Y	N
Fair Market Value of Other Non-cash Compensation, if Subject to Federal Income Tax	N	N	N
Other Compensation & Fringe Benefits Subject to Federal Income Tax	N	N	N
Settlement Agreements	***	***	***
Amounts paid more than 120 days after Termination of Employment	***	***	N

Note: AFC is subject to limitations contained in RSA 100-A: 1, XVIII.

January, 2012

The NHRS rate for the employer portion for sworn police is 26.38% effective 7/1/15 through 6/30/16.

Medicare: Sworn staff/employer are required to pay Medicare on these earnings (1.45%)

Life: The city offers term life insurance for all employees with 100% of the premium paid by the city. The amount of coverage is established in each union contract.

Travel:

The travel expenses are directly related to meetings for the NH ICAC Commander, the National ICAC Training Conference where NH ICAC personnel will be exposed to the latest investigative techniques, behavioral issues of the offender and many other break-out sessions relative to investigating child exploitation cases. The training of prosecutors remains a goal of the program to ensure successful prosecutions and appropriate dispositions. To achieve this, there are travel expenses associated with providing the best training available in computer forensics and prosecuting those that commit crimes involving the exploitation of children. The sources for training will be carefully selected, will be industry-known as first rate training opportunities, and during this grant cycle we intend to send two investigators and two prosecutors to these schools.

As computer science is a constantly changing topic, we strive to train investigators, prosecutors and victim advocates in these areas to continue their education in technology facilitated crimes against the exploitation of children.

Equipment:

The equipment items listed include hard drives needed to allow the NH ICAC Task Force to increase its capacity and capability to investigate technology related crimes against and exploitation of children. The hard drives are generally used to image computers seized during an investigation for the forensic analysis of digital evidence. In an effort to reduce costs charged to the grant expenses, on many occasions individual affiliate agencies were asked to supply their own

hard drives. In 2014, the evidence servers went online at the lab, this allows evidence to be stored and to be viewed by assigned investigators, thus cutting down on the need for purchasing as many individual hard drives.

At this time we have outfitted a lab centrally located in the City of Manchester, NH. We anticipate there will be supplies and equipment needed to maintain the NH ICAC Task Force servers and other potential costs associated with configuring equipment and investigative tools.

Supplies:

Supplies include additional hardware and supplies to outfit the centrally located lab, writable CDs and DVDs for evidence collection, examination and storage, as well as cases and storage bags to protect these items. Supplies also include office and forensic software purchases and updates needed to continue to investigate technology related crimes against and exploitation of children. Also included are promotional supplies.

Construction:

No construction costs are included in this proposal.

Consultants and Contracts:

This grant includes funds for reimbursement of overtime expenses to the lead affiliates of NH ICAC. The cities of Concord, Manchester, Rochester, Hampton, and Nashua, have historically dedicated personnel and resources to the NH ICAC efforts. With the current economy, it is very difficult for these local jurisdictions to justify spending local tax dollars to fund overtime expenses for investigations which may lie outside their primary jurisdiction. This allocation of funds will allow for continued and increased participation by these local agency investigators in the NH ICAC investigative efforts.

The calculation for per hour cost in this section is based on the employee's overtime rate (provided by the agency for rates effective on 7/1/17), plus Medicare (1.45%) and the New Hampshire Retirement System mandated employer contribution rate of 26.38% (detailed above under the Fringe section). Agencies listed in this section submit signed payroll records that include a per date/per hour breakdown of costs attributable to approved grant related activities for reimbursement.

Other:

These costs represent the 12 months of having general internet access, covert/undercover ISP accounts, undercover local and cell telephone accounts and undercover U.S. mailboxes. It also represents costs for software, renewal of software licenses and professional memberships, and mailing expenses.

Indirect Costs:

No indirect costs are included in this proposal.

Summary:

The total amount requested by the Portsmouth Police Department for the New Hampshire Internet Crimes Against Children Task Force is \$255,961.

Project start - 07/01/2016 Project end – 06/30/2017

A	Personnel /Salaries	\$131,734
B	Personnel / Fringe Benefits	\$94,076
C	Travel	\$12,278
D	Equipment	\$200
E	Supplies	\$1,907
F	Construction	\$0
G	Consultants & Contracts	\$8,797
H	Other	\$6,969
I	Indirect Costs	\$0
	TOTAL	\$255,961

Sal/Ben Start 07/1/16 Sal/Ben End – 06/30/2017
Overtime Sal/Ben Start - 07/01/2016 Overtime Sal/Ben End –06/30/2017

A) PERSONNEL SALARIES

Regular Salaries		7/1/16 - 6/30/17 12mo. Costs		%	=	12-mo Salary
100%	Grella, Thomas					
		07/01/16-06/30/17	\$79,976	x	1.00	\$79,976
80%	Jacques, Duane					
		07/01/16-06/30/17	\$59,621	x	0.8	\$47,697

Total 12-Month Salary **\$127,672**

Overtime Salaries

		OT Rate		# Hours	=	12-mo
Grella, Thomas	OT Hours	\$58	x	40	=	\$2,307
7/1/16 to 6/30/17						
Jacques, Duane	OT Hours	\$44	x	40	=	\$1,754
7/1/16 to 6/30/17						

Total Overtime Salaries **\$4,061**

B) PERSONNEL FRINGE BENEFITS

Regular Benefits	07/01/16-06/30/17 12 mo. Costs		%	12-mo Benefits
100% Grella, Thomas				
	Holiday Pay	\$3,537	1	\$3,537
	Longevity Pay	\$1,149	1	\$1,149
	Clothing Stipend	\$859	1	\$859
	Special Detail Stipend	\$2,482	1	\$2,482
	Health	\$18,757	1	\$18,757
	Dental	\$764	1	\$764
	AD&D	\$10	1	\$10
	Retirement	\$22,989	1	\$22,989
	Medicare	\$1,264	1	\$1,264
	Life	\$91	1	\$91
		<u>\$51,902</u>	x	1 = \$51,902

80% Jacques, Duane				
	Holiday Pay	\$2,637	0.8	\$2,110
	Longevity Pay	\$361	0.8	\$289
	Clothing Stipend	\$782	0.8	\$626
	Special Detail Stipend	\$2,212	0.8	\$1,770
	Education Stipend	\$1,000	0.8	\$800
	Health	\$25,472	0.8	\$20,378
	Dental	\$764	0.8	\$611
	Retirement	\$17,103	0.8	\$13,682
	Medicare	\$940	0.8	\$752
	Life	\$34	0.8	\$27
		<u>\$51,305</u>	x	0.8 = \$41,044

Total 12-month Benefits **\$92,946**

Overtime Benefits					12-mo
Grella, Thomas					
07/01/16-06/30/17	Medicare	1.45%	x	2,307	= 33
	Retirement	26.38%	x	2,307	= 609
					642
Jacques, Duane					
07/01/16-06/30/17		Benefit Rate		Total OT	
	Medicare	1.45%	x	\$1,754	= \$25
	Retirement	26.38%	x	\$1,754	= \$463
					\$488

Total Overtime Benefits **1,130**

C) TRAVEL

<u>Purpose</u>	<u>Location</u>	<u>Item</u>	<u>Calculation</u>	<u>Cost</u>
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ICAC Commander Meetings <i>TBD</i>	Lodging	(\$150 x 1 x 2 x 2)	\$600
(1 attendee, 2 nights, 2 meetings)	Airfare	(\$500 x 2)	\$1,000
	Meals	(\$71 x 1 x 3 x 2)	\$426
ICAC National Conference <i>TBD</i>	Lodging	(\$150 x 2 x 5 x 1)	\$1,500
(2 attendees, 5 nights, 1 conference)	Airfare	(\$500 x 2)	\$1,000
	Meals	(\$71 x 2 x 6 x 1)	\$852
Travel for Training/Forensic Capacity		(1150x6)	\$6,900

Total Travel \$12,278

D) EQUIPMENT

Hard Drives		(\$100 x 2)	\$200
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Total Equipment \$200

E) SUPPLIES

Optical Media (i.e. magnetic, flash media)		(\$53.57 x 7)	\$375
Productivity Software (i.e. MS Office 2@250, back-up software-		(2x250)+(1x394)	\$894
		(\$121/per 1,000 and \$196/per 500)	\$317
Electronic Evidence Protection Supplies			\$321
Promotional Supplies (Investigator shirts, presentation materials)		=(25*12)+(2*10.5)	\$321

Total Supplies \$1,907

F) CONSTRUCTION

NONE		N/A	\$0
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Total Construction \$0

G) CONSULTANTS & CONTRACTS

Agency: **Manchester Police Department**

					# Hours	
Det. Rob Tremblay or other	OT Rate	\$36				
approved Manchester PD affiliat	Medicare	\$1				
	Retirement	\$9				
	<u>Total Contract Rate</u>	\$46	x		30	\$1,371

Total Manchester \$1,371

Agency: **Rochester Police Department**

					# Hours	
Det. Steve Bourque or other	OT Rate	\$40				
approved Rochester PD affiliate	Medicare	\$1				
	Retirement	\$11				
	<u>Total Contract Rate</u>	\$51	x		30	\$1,540

Total Rochester \$1,540

Agency: **Nashua Police Department**

					# Hours	
Det. Dan Hodges or other	OT Rate	\$52				
approved Nashua PD affiliate	Medicare	\$1				
	Retirement	\$14				

Total Contract Rate	\$66	x	20	\$1,317
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Total Nashua \$1,317

Agency: **Concord Police Department**

Hours

Det. Joe Chaput or other	OT Rate	\$48
approved Concord PD Affiliate	Medicare	\$1
	Retirement	\$13
Total Contract Rate		\$62

x	30	\$1,850
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Total Concord \$1,850

Agency: **Hampton Police Department**

Hours

Det. Chris Gilroy or other	OT Rate	\$43
approved Hampton PD affiliate	Medicare	\$1
	Retirement	\$11
Total Contract Rate		\$55

x	40	\$2,195
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Total Hampton \$2,195

Agency: **Other NH ICAC Affiliate providing support to an ICAC Operation***

Hours

* As approved by the NH ICAC	OT Rate	\$41
	Medicare	\$1
	Retirement	\$11
Total Contract Rate		\$52

x	10	\$524
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Total \$524

Total Consultants & Contracts **\$8,797**

D) OTHER

Internet Access- undercover account	(\$100 x 12 x 1)	\$1,200
Forensic Certifications	(\$395 x 2)	\$790
Professional Forensic Memberships	(\$250 x 1)	\$250
Undercover U.S. Mailbox	(\$100 x 1)	\$101
Production Software/Lic. Renewals	(\$400*7)+(\$1495*1)+(333.39*1)	\$4,628

Total Other **\$6,969**

J) INDIRECT COSTS

NONE	N/A	\$0
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Total Indirect Costs **\$0**

Thomas A. Grella
25 Pleasant Street
Newfields, NH 03856
603-765-5374
tgrella@cityofportsmouth.com

PROFILE:

A law enforcement professional with over 26 years of experience in criminal investigations with a focus on protecting children and victims of crime. A first line supervisor, a motivational leader and mentor to young police officers. A proven leader of community organizations.

EMPLOYMENT HISTORY:

- 2011-Present Commander New Hampshire Internet Crimes Against Children Task Force
- Responsible for day-to-day oversight, case management, and supervision of NH ICAC Task Force personnel.
 - Coordinate all proactive and reactive investigations into the exploitation of children, and human trafficking.
 - Responsible for media relations and drafting press releases for NH ICAC Task Force operations and activity.
 - Responsible for gathering and reporting monthly statistics from over 80 affiliate agencies.
 - Manage the NH ICAC Task Force forensic lab, purchase equipment and maintain evidence.
 - Establish and enforce policies and procedures for the NH ICAC Task Force.
 - Coordinate training and maintain training records of primary NH ICAC Task Force personnel.
 - Review all police reports, search warrants, threat assessments and operation plans.
 - Write and submit the annual grant to the Office of Juvenile Justice and Delinquency Prevention.
 - Manage the annual OJJDP grant, currently \$256,037.00
 - Maintain relationships with State and Federal law enforcement agencies.
 - Title 19 Task Force Officer, Homeland Security Investigations
 - Coordinator of the Portsmouth Police Department Citizens Police Academy
 - Secure funding for program designed to bring police and community together by educating residents in various police practices. Also recruit participants, serve as primary contact with potential attendees, create marketing materials, and facilitate instructors and overall program activities.
- 2010-2011 Sergeant, Portsmouth Police Department, Patrol Division
- Served as both Shift Commander and Street Supervisor
 - Responsible for shift scheduling, case management, reviewing police reports for accuracy and completeness, mentoring young officers, incident management and supervision, supporting the mission of the police department.
- 1997-2010 Detective, Portsmouth Police Department, Detective Division
- Primary responsibility serving as the Juvenile Prosecutor
 - Review all cases involving juvenile offenders to determine if probable cause exists to support filing charges with the Court; negotiate dispositions with defense attorneys, respond to and file motions, maintain

communications with Juvenile Probation and Parole throughout the legal process.

- Liaison to the Rockingham County Attorney's Office
 - Review and manage felony level cases once bound over to Superior Court and prepare these files for review by the Rockingham County Attorney's Office for presentation to the Grand Jury. Also responsible for follow up investigation in these cases and ultimately presenting them to the Grand Jury for purposes of seeking indictments.
- Lead investigator on fraud and identity theft cases
- Investigate child abuse and neglect cases & property crimes
- Attend weekly case review meetings with members of Administration and Department prosecutors
- Police Coordinator for Seacoast Crime Stoppers
 - Prepare "Crime of the Week" for public service announcement on local radio stations, submit postings to local media, maintain website, report to Board of Directors on monthly statistics and discuss budget and marketing strategies.
- Early Intervention Officer
 - Coordinator of Police Athletic League program, adventure-based counseling in collaboration with the New Heights program.

1990-1997 Patrolman, Portsmouth Police Department, Patrol Division

- Patrolled areas in City where assigned and responded to calls for service
- Field Training Officer
- Member of Accident Investigation Team
- Crime prevention initiatives
 - As a member of the Crime Prevention Team, assisted in organizing the first "National Night Out"
 - Member of the first uniformed bicycle patrol in downtown area
 - Maintained strong relationships with downtown merchants and neighborhood watch groups

1987-1988 Patrolman, Mont Vernon, NH Police Department, Patrol Division

- Part time patrol officer

1988 Patrolman, Milford, NH Police Department, Patrol Division

- Full time patrol officer

EDUCATION:

Milford Area Senior High School, Milford, NH, 1983

93rd Session NH Police Standards & Training Council, 1991--Recipient of Class Achievement Award

New Hampshire Technical Institute

First Line Supervisor Course-Roger Williams University, 2011

Delinquency Control Institute, University of Southern California Law School, January 2002

Granite State College BS Criminal Justice, Projected completion date spring of 2017

IN SERVICE TRAINING & INSTRUCTOR LEVEL CERTIFICATIONS:

Massachusetts Cyber Crime Conference, 2014

ICAC Investigative Techniques, Quarterly ICAC Task Force Commanders meetings.

New Hampshire Local Government Center, Level One Leadership, 2012

NYPD Homicide Training, 2009

Basic Police Prosecutor, 2002

National Conference on Juvenile Justice, 2004

Child Fatality Investigations, 2002
Suspect Interviews of Child Abuse, 2001
NH Attorney General's Annual Conference on Child Abuse, 2001, 2002, 2003—Recipient of Dr. Roger M. Fossum Award, 2001
Sex Crimes Investigation, 2000
Crime Scene for Detectives, 2000
Emergency Vehicle Operations, Driving Instructor Development, 2000
Crimes Against the Innocent, 2000
Child Sexual Exploitation Investigation, 1999
Forensic Child Abuse Interviewing, 1999
Project Adventure (Adventure Based Counseling), 1998
Firearms Instructor 1996-2000
Pr-24 Police Baton Instructor 1995-1999

TEACHING PUBLIC SPEAKING EXPERIENCE

Community outreach for NH ICAC Task Force, Internet Safety presentations to Junior High and High School students.
Presented "Juvenile Justice in NH" to Criminal Justice students at Hesser College
Presented "Juvenile Justice in NH" and "Child Abuse and Neglect Investigations" to Social Work students at UNH

COMMUNITY AFFILIATES & CIVIC ORGANIZATIONS:

Seacoast Rotary – Past President 2012-2013, Member since 2004, Awarded Paul Harris Fellowship, 2011
Big Brothers Big Sisters of the Greater Seacoast – Board President 2007-2008, Board of Directors, 2000-2009; Member of Advisory Committee, 2006-Present

Curriculum Vitae

Duane Jacques

Portsmouth NH Police Department
3 Junkins Avenue, Portsmouth, NH 03801
jacquesd@cityofportsmouth.com
603.610.7535

Profile

A digital forensic technology professional and police detective (14 year veteran). Computer forensic examiner for both the Portsmouth Police Department and NH Internet Crimes Against Children Task Force (ICAC).

Experience

Detective/Computer Forensic Examiner

Portsmouth NH Police Department; Portsmouth, NH

2013-Present

Computer Forensic Analysis Duties

- Responsible for carrying out sound examinations of computer systems and media in accordance with best practice procedures for a variety of different crimes

Mobile Forensic Analysis Duties

2011-Present

- Responsible for carrying out sound examinations of mobile devices in accordance with best practice procedures for a variety of different crimes

Computer Crime Investigation Duties

- Identifying suspects, witnesses, and systems involved in criminal activity. Prepare legal paperwork such as search warrant and subpoena as part of such investigations.
- Serve as a support investigator to Homeland Security Investigations (HSI) as a Task Force Officer (TFO). Support entails providing technical assistance for federal investigations involving computer systems and to identify, seize and examine digital evidence.

Patrol Officer

Portsmouth NH Police Department; Portsmouth NH

2005-2013

- Responsible for all aspects of public safety, community policing, and crime prevention including field application of law enforcement methods, techniques, law, regulations, and departmental policy. Duties encompass all aspects of criminal investigations, fact finding, crime scene analysis, interviews, court testimony, witness location, case preparation, and provision of comprehensive written reports.
- Assigned as a Field Training Officer for the training of new recruits to the police department.

Patrol Officer

Somersworth Police Department; Somersworth, NH

2001-2005

- Responsible for all aspects of public safety, community policing, and crime prevention including field application of law enforcement methods, techniques, law, regulations, and departmental policy. Duties encompass all aspects of criminal investigations, fact finding, crime scene analysis, interviews, court testimony, witness location, case preparation, and provision of comprehensive written reports.
- Assigned as a Field Training Officer for the training of new recruits to the police department.

SKILLS

- Knowledgeable in the use of several computer forensic software programs to include FTK and WinHex
- Knowledge and experience with the following operating systems: Windows, Macintosh as well as mobile device platforms

TRAINING

- Macintosh Forensics (2016), AccessData
- Windows 10 Forensics (2016), AccessData
- Computer Forensics and the Cloud (2016), AccessData
- Windows Forensic Registry (2016), AccessData
- Advanced FTK (2016), AccessData
- Certified Mobilyze Operator (2015), BlackBag Technologies
- Internet Forensics (2015), AccessData
- Windows OS Forensics (2015), AccessData
- FTK Bootcamp (2015), AccessData
- Intermediate Data Recovery and Acquisition (2015), NW3C
- Forensic Fundamentals (2015), AccessData
- Basic Data Recovery and Acquisition (2015), NW3C
- Basic Computer Skills for Law Enforcement (2015), Fox Valley Technical College
- Offender Characteristics-eLearning (2015), Fox Valley Technical College
- Cyber Investigation 100- Identifying and Seizing Electronic Evidence-Web Bases (2015), Fox Valley Community College
- Introduction to Technology for Sexual Assault Investigators-Online Course (2015), Fox Valley Technical College
- CyberTips Overview-Online Course (2015), Fox Valley Technical College

PROFESSIONAL ORGANIZATIONS

- High Technology Crime Investigation Association (HTCIA)

AWARDS & RECOGNITIONS

- Recognition from the Portsmouth Police Department for exemplary investigation work



Board of Police Commissioners

of the

City of Portsmouth, N.H.

June 20, 2016

Chief David J. Mara
PORTSMOUTH POLICE DEPARTMENT
3 Junkins Avenue
Portsmouth, NH 03801

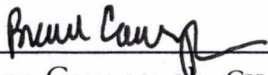
RE: FY 16 OJJDP Internet Crimes Against Children Task Force Grant

Dear Chief Mara:

Via this letter, the Commission is confirming its support for the FY '16 OJJDP Internet Crimes Against Children Task Force Grant as described in the grant application.

The Commission considers the funding of ICAC work a priority. The funding provision of this grant will enable the department to continue the successful work of the last fifteen years in investigating and prosecuting those who prey on children through the Internet.

Very truly yours,
PORTSMOUTH POLICE COMMISSION



Brenna Cavanaugh, CHAIR

BC:KML



Board of Police Commissioners
of the
City of Portsmouth, N.H.

June 20, 2016

Chief David J. Mara
PORTSMOUTH POLICE DEPARTMENT
3 Junkins Avenue
Portsmouth, NH 03801


RE: FY 16 OJJDP Internet Crimes Against Children Task Force Grant

Dear Chief Mara:

Via this letter, the Commission is confirming its support for the FY '16 OJJDP Internet Crimes Against Children Task Force Grant as described in the grant application.

The Commission considers the funding of ICAC work a priority. The funding provision of this grant will enable the department to continue the successful work of the last fifteen years in investigating and prosecuting those who prey on children through the Internet.

Very truly yours,
PORTSMOUTH POLICE COMMISSION



Brenna Cavanaugh, CHAIR

BC:KML



**ROCKINGHAM COUNTY ATTORNEY
STATE OF NEW HAMPSHIRE**

PATRICIA G. CONWAY
COUNTY ATTORNEY

PATRICIA M. LAFRANCE
DEPUTY COUNTY ATTORNEY

May 16, 2016

To Whom It May Concern:


I am writing to express my strong support for the ICAC program established by the Portsmouth Police Department fourteen years ago.

Through a network of cooperative agreements with a number of New Hampshire law enforcement agencies all over the state, the Portsmouth Police Department has successfully carried out sophisticated national and multi-jurisdictional investigations and initiatives. The number of agencies in New Hampshire that have been trained to conduct online investigations continues to grow under Portsmouth's leadership.

As the County Attorney responsible for prosecuting most of the felony level charges in Rockingham County, I can say that the citizens of this county and the entire state are safer because of the Portsmouth Police Department's management of the ICAC grant.

I urge you to renew the grant that will allow this agency to continue its good work as it relates to the ICAC program in New Hampshire. Please do not hesitate to contact me if you would care to discuss this issue further or in greater detail.

Sincerely,


Patricia G. Conway
County Attorney

P.O. Box 1209
Kingston, New Hampshire 03848-1209
Tel. (603) 642-4249
Fax (603) 642-8942



FINANCIAL MANAGEMENT AND SYSTEM OF INTERNAL CONTROLS QUESTIONNAIRE

The financial management system of each non-Federal entity must provide for the following

- Retention requirements for records
- Requests for transfer of records
- Methods for collection, transmission and storage of information
- Access to records
- Restrictions on public access to records

(1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.

(2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.

(3) Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

(4) Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes

(5) Comparison of expenditures with budget amounts for each Federal award.

(6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the non-Federal entity whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means

(7) Written procedures for determining the allowability of costs.

APPLICANT ORGANIZATIONAL INFORMATION

1. Name of Organization and Address: City of Portsmouth Police Department

3 Junkins Avenue
Portsmouth, NH 03801

2. Authorized Representative's Name and Title: David J. Mara, Chief of Police

3. Phone: 603 - 610 - 7457 ext.	4. Fax: 603 - 433- 8809	5. Email: marad@cityofportsmouth
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6. Year Established: 1849	7. Employer Identification Number (EIN): 2 - 6000714	8. DUNS Number: 7 - 397 - 6706
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9. Type of Organization:

- State Municipality Non-Profit Higher Education Tribal For-Profit Other



AUDIT INFORMATION

An audit is conducted using generally accepted auditing standards (GAAS) or Generally Accepted Governmental Auditing Standards (GAGAS) and results in an audit report with an opinion.

10. The organization has had the undergone the following types of audit(s)(Please check all that apply):

- OMB A-133 Single Audit Financial Statement Audit Defense Contract Agency Audit (DCAA)
- None
- Programmatic Audit & Agency: _____
- Other Audit & Agency: _____

11. Fiscal Year of Last Audit:
2015

Name of Audit Agency/Firm:
Melanson & Heath

AUDITOR'S OPINION:

12. On the most recent audit, what was the auditor's opinion?

- Unqualified Opinion Qualified Opinion Disclaimer, Going Concern or Adverse Opinions

Please enter the number of findings: none
Please enter the amount of questioned costs: \$ 0

Were material weaknesses noted in either the Financial Statement or Single Audit? Yes No

ACCOUNTING SYSTEM

13. Which of the following best describes your accounting system:

- Manual Automated Combination

14. Does the accounting system identify the receipt and expenditure of program funds separately for each grant? Yes No Not Sure

15. Does the accounting system provide for the recording of expenditures for each grant/contract by budget cost categories shown in the approved budget? Yes No Not Sure

16. Does your accounting system have the capability to document the recording of cost sharing or match for each grant? Can you determine if documentation is available to support recorded match or cost share? Yes No Not Sure

17. Are time distribution records maintained for each employee that specifically identify effort charged to a particular grant or cost objective? Yes No Not Sure

18. Does the accounting/financial system include budgetary controls to preclude incurring obligations or costs in excess of total funds available or by budget cost category (e.g. Personnel, Travel, etc.)? Yes No Not Sure

19. Is the organization familiar with the existing Federal regulation and guidelines containing the Cost Principles and procedures for the determination and allowance of costs in connection with Federal grants? Yes No Not Sure



**PROPERTY STANDARDS, PROCUREMENT STANDARDS,
AND TRAVEL POLICIES**

PROPERTY STANDARDS

20. Does your property management system(s) provide for maintaining: (1) a description of the equipment; (2) an identification number; (3) source of the property, including the award number; (4) where title vests; (5) acquisition date; (6) federal share of property cost; (7) location and condition of the property; (8) acquisition cost; & (9) ultimate disposition information? Yes No Not Sure

PROCUREMENT STANDARDS

21. Does your organization maintain written procurement procedures which (1) avoid unnecessary purchases; (2) provide an analysis of lease and purchase alternatives; and (3) provide a process for soliciting goods and services? Yes No Not Sure

22. Does your procurement system provide for the conduct to determine selection on a competitive basis and documentation of cost or price analysis for each procurement action? Yes No Not Sure

23. Does your procurement system include provisions for checking the "Excluded Parties List" system for suspended or debarred sub-grantees and contractors, prior to award? <https://www.sam.gov/> Yes No Not Sure

TRAVEL POLICY


24. Does your organization:
(a) maintain a standard travel policy? Yes No
(b) adhere to the Federal Travel Regulation? (FTR) Yes No

SUBRECIPIENT MANAGEMENT AND MONITORING

25. (For Pass-through entities only). Does your organization have controls in place to monitor activities of subrecipients, as necessary, to determine that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of the award and that performance goals are achieved (2 CFR200)? Yes No Not Sure
 N/A (Your organization does not make subawards.)

**STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS
AND APPLICANT CERTIFICATION**

I certify that the above information is complete and correct to the best of my knowledge. This document must be certified by the organization's Authorized Representative, Executive Director, Chief Financial Officer, Chairman of the Board of Directors, or similar position.

Name:  Date: 6/29/2016
Title: Executive Director Chief Financial Officer Chairman Other: _____

Phone: 603 - 610 - 7457 ext.


DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: City of Portsmouth 1 Junkins Avenue Portsmouth, NH 03801 Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: n/a Congressional District, if known:	
6. Federal Department/Agency: OJJDP	7. Federal Program Name/Description: CFDA Number, if applicable: <u>16.543</u>	
8. Federal Action Number, if known: n/a	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> n/a	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> n/a 	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u>David J. Mara</u> Print Name: <u>David J. Mara</u> Title: <u>Chief of Police</u> Telephone No.: <u>(603) 610-7457</u> Date: <u>6/29/2016</u>	
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Portsmouth Police Department
NH ICAC Task Force Award
Documents



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 14, 2016

Chief David J. Mara Esq.
City of Portsmouth
1 Junkins Ave
Portsmouth, NH 03801-4554

Dear Chief Mara:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 16 Internet Crimes Against Children Task Force Invited in the amount of \$256,037 for City of Portsmouth.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Jacqueline O'Reilly, Program Manager at (202) 514-5024; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Karol V. Mason".

Karol Virginia Mason
Assistant Attorney General

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs
U.S. Department of Justice
810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690
TTY: (202) 307-2027
E-mail: askOCR@usdoj.gov
Website: www.ojp.usdoj.gov/ocr

September 14, 2016

Chief David J. Mara Esq.
City of Portsmouth
1 Junkins Ave
Portsmouth, NH 03801-4554

Dear Chief Mara:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

10-11-16 DJM

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

10-11-16
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Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOSubmission@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination


If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

10-11-16



U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and
Delinquency Prevention

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY
Cooperative Agreement**

PROJECT NUMBER

2015-MC-FX-K026

PAGE 1 OF 1

This project is supported under FY16(OJJDP - MEC - ICAC Task Force - other than TTA or "HERO" veterans employment) Pub. L. No. 114-113; 129 Stat. 2242, 2309

1. STAFF CONTACT (Name & telephone number)

Jacqueline O'Reilly
(202) 514-5024

2. PROJECT DIRECTOR (Name, address & telephone number)

Thomas Grella
Detective Sergeant
1 Junkins Ave
Portsmouth, NH 03801-4554
(603) 610-7429 ext.401

3a. TITLE OF THE PROGRAM

OJJDP FY 16 Internet Crimes Against Children Task Force Invited

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

New Hampshire Internet Crimes Against Children Task Force

5. NAME & ADDRESS OF GRANTEE

City of Portsmouth
1 Junkins Ave
Portsmouth, NH 03801-4554

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 07/01/2015 TO: 06/30/2017

8. BUDGET PERIOD

FROM: 07/01/2015 TO: 06/30/2017

9. AMOUNT OF AWARD

\$ 256,037

10. DATE OF AWARD

09/14/2016

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The National Internet Crimes Against Children (ICAC) Task Force Program, as established by the PROTECT Our Children Act of 2008, consists of State and local law enforcement task forces dedicated to developing effective responses to online enticement of children by sexual predators, child exploitation, and child obscenity and pornography cases. Each State and local task force that is part of the national program shall: 1) consist of State and local investigators, prosecutors, forensic specialists, and education specialists who are dedicated to addressing the goals of the task force; 2) engage in proactive investigations, forensic examinations, and effective prosecutions of Internet crimes against children; 3) provide forensic, preventive, and investigative assistance to parents, educators, prosecutors, law enforcement, and others concerned with Internet crimes against children; 4) develop multijurisdictional, multiagency partnerships and responses to Internet crimes against children offenses through ongoing informational, administrative, and technological support to other State and local law enforcement agencies, as a means for such agencies to acquire the necessary knowledge, personnel, and specialized equipment to investigate and prosecute such offenses; 5) participate in nationally coordinated investigations in any case in which the Attorney General determines such participation to be necessary, as permitted by the available resources of such

10-11-16
DJM

task force; 6) establish or adopt investigative and prosecution standards consistent with established norms, to which such task force shall comply; 7) investigate, and seek prosecution on tips related to Internet crimes against children, including tips from Operation Fairplay, the National Internet Crimes Against Children Data System, the National Center for Missing and Exploited Children's CyberTipline, ICAC task forces, and other Federal, State, and local agencies, with priority being given to investigate leads that indicate the possibility of identifying or rescuing child victims, including investigative leads that indicate a likelihood of seriousness of offense or dangerousness to the community; 8) develop procedures for handling seized evidence for ICAC task force lead agencies and affiliate agencies; 9) maintain reports required by OJJDP and other reports and records as determined by the Attorney General; and, 10) seek to comply with national standards regarding the investigation and prosecution of Internet crimes against children, as set forth by the Attorney General, to the extent such standards are consistent with the law of the State where the task force is located.

The Portsmouth Police Department (PD) will continue its efforts to provide an effective statewide response to technology facilitated exploitation of children in the State of New Hampshire (NH). Grant funding will be used to support salaries and benefits of Portsmouth PD employees tasked with duties related to the administration and implementation of the Internet Crimes Against Children (ICAC) Task Force program within the State of New Hampshire. The NH ICAC Task Force Commander position will be funded on a full time basis and is responsible for coordinating and managing NH ICAC activities and oversight of affiliate agencies. In addition, grant funds will partially support a Portsmouth PD detective responsible for ICAC investigations and forensic examinations. Grant funds will also support computer forensic training and certification for the detective. The Portsmouth PD will also provide overtime reimbursement for costs incurred by Portsmouth PD and five affiliate agencies to conduct ICAC operations, investigations, prosecutions and provide for increased public education about internet safety. Other investigative costs such as internet access, software licenses and training registration fees will also be supported.

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10-11-16 DJM



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

Cooperative Agreement

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Portsmouth 1 Junkins Ave Portsmouth, NH 03801-4554		4. AWARD NUMBER: 2015-MC-FX-K026	
		5. PROJECT PERIOD: FROM 07/01/2015 TO 06/30/2017 BUDGET PERIOD: FROM 07/01/2015 TO 06/30/2017	
		6. AWARD DATE 09/14/2016	7. ACTION Supplemental
2a. GRANTEE IRS/VENDOR NO. 026000715	8. SUPPLEMENT NUMBER 01		
2b. GRANTEE DUNS NO. 073976706	9. PREVIOUS AWARD AMOUNT		\$ 256,152
3. PROJECT TITLE New Hampshire Internet Crimes Against Children Task Force	10. AMOUNT OF THIS AWARD		\$ 256,037
	11. TOTAL AWARD		\$ 512,189
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY16(OJJDP - MEC - ICAC Task Force - other than TTA or "HERO" veterans employment) Pub. L. No. 114-113; 129 Stat. 2242, 2309			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.543 - Missing Children's Assistance			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Karol Virginia Mason Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL David J. Mara Chief	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 10-11-16
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. OFC. REG. SUB. POMS AMOUNT X F MC 70 00 00 256037		21. PMCTGT0146	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

10-11-16 DJM



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET
Cooperative Agreement**

PAGE 2 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this 2016 award from the Office of Justice Programs (OJP).

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this 2016 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded in 2014 or earlier years), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2016 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide"), including any updated version that may be posted during the period of performance.

3. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <http://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

10-11-16 DJM



PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

4. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

5. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

6. Requirements related to System for Award Management and Unique Entity Identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <http://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <http://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

7. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: Award Condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.



PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

8. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here.

9. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

10. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

11. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRRA) and the GPRRA Modernization Act, and other applicable laws.

12. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/ojptrainingguidingprinciples.htm>.



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 5 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

13. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

14. The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

15. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

16. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

17. Restrictions on "lobbying"

Federal funds may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government.

Should any question arise as to whether a particular use of Federal funds by a recipient (or subrecipient) would or might fall within the scope of this prohibition, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET
Cooperative Agreement**

PAGE 6 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

18. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2016)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at <http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

19. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <http://www.usdoj.gov/oig>.



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 7 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

20. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 8 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

21. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

22. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET
Cooperative Agreement**

PAGE 9 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

23. Within 45 calendar days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with the following information and itemized costs:

- 1) name of event;
- 2) event dates;
- 3) location of event;
- 4) number of federal attendees;
- 5) number of non-federal attendees;
- 6) costs of event space, including rooms for break-out sessions;
- 7) costs of audio visual services;
- 8) other equipment costs (e.g., computer fees, telephone fees);
- 9) costs of printing and distribution;
- 10) costs of meals provided during the event;
- 11) costs of refreshments provided during the event;
- 12) costs of event planner;
- 13) costs of event facilitators; and
- 14) any other costs associated with the event.

The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

- 1) meals and incidental expenses (M&IE portion of per diem);
- 2) lodging;
- 3) transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- 4) local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.

Further instructions regarding the submission of this data, and how to determine costs, are available in the OJP Financial Guide Conference Cost Chapter.

10-11-16 DJM



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 10 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

24. Prior to the expenditure of confidential funds, the recipient and any subrecipients agree to sign a certification indicating that he or she has read, understands, and agrees to abide by all of the conditions pertaining to confidential fund expenditures as set forth in the OJP Financial Guide.
25. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
26. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

27. The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <http://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

28. The Project Director and key program personnel designated in the application shall be replaced only for compelling reasons. Successors to key personnel must be approved, and such approval is contingent upon submission of appropriate information, including, but not limited to, a resume. OJP will not unreasonably withhold approval. Changes in other program personnel require only notification to OJP and submission of resumes, unless otherwise designated in the award document.

10-11-16 DSW



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET
Cooperative Agreement**

PAGE 11 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

29. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

30. The recipient agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report is due no later than 90 days following the close of this award period or the expiration of any extension periods. This report will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.
31. The recipient agrees that it will submit quarterly financial status reports to OJP on-line (at <https://grants.ojp.usdoj.gov/>) using the SF 425 Federal Financial Report form (available for viewing at www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
32. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.
33. ICAC Annual Reports
The recipient agrees to submit annual reports to OJP that set forth the following:
(A) The number of law enforcement agencies participating in Internet crimes against children program standards established by the task force. (B) Staffing levels of the task force, including the number of investigators, prosecutors, education specialists, and forensic specialists dedicated to investigating and prosecuting Internet crimes against children.
34. The recipient agrees to forward reports of ICAC Task Force Program Monthly Performance Measures to the OJJDP-designated site.
35. The recipient agrees to submit quarterly reports to OJP that set forth the following:
Prosecution performance measures of the lead task force agency and any affiliates receiving \$20,000 or more in subrecipient funding per project period year, including-
1) the number of prosecutions for Internet crimes against children;
2) whether the prosecution resulted in a conviction for such crime; and
3) the sentence and the statutory maximum for such crime under State law.
36. The recipient agrees to comply with the OJJDP approved ICAC Task Force Operational and Investigative Standards



U.S. Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 12 OF 12

PROJECT NUMBER 2015-MC-FX-K026

AWARD DATE 09/14/2016

SPECIAL CONDITIONS

37. The Office of Juvenile Justice and Delinquency Prevention has elected to enter into a Cooperative Agreement rather than a grant with the recipient. This decision reflects the mutual interest of the recipient and OJJDP in the operation of the project as well as the anticipated level of Federal involvement in this project. OJJDP's participatory role in the project is as follows:
- a. Review and approve major work plans, including changes to such plans, and key decisions pertaining to project operations.
 - b. Review and approve major project generated documents and materials used in the provision of project services. Provide guidance in significant project planning meetings, and participate in project sponsored training events or conferences.
38. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:
- "This Web site is funded [insert "in part," if applicable] through a grant from the [insert name of OJP component], Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)."
- The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.
39. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
40. Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS
- The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").
- The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <http://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.



U.S. Department of Justice

Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Lou Ann Holland, OJJDP NEPA Coordinator

Subject: Categorical Exclusion for City of Portsmouth

This award is made as part of the Internet Crimes Against Children Task Force Program. Awards under this program will be used to support State and local law enforcement agencies to maintain and expand State and regional task forces to address technology-facilitated child exploitation. None of the following activities will be conducted either under this award or a related third party action:

- 1) New construction;
- 2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species;
- 3) A renovation which will change the basic prior use of a facility or significantly change its size;
- 4) Research and technology whose anticipated and future application could be expected to have an effect on the environment; or
- 5) Implementation of a program involving the use of chemicals, other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Additionally, the proposed action is neither a phase nor a segment of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion. Consequently, the subject federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

10-11-16
DJM

New Hampshire
ICAC Task Force
Affiliates

1. Allenstown
2. Amherst PD
3. Atkinson Police Dept.
4. Auburn Police Department
5. Barrington Police Department
6. Bartlett Police Department
7. Bedford Police Department
8. Belknap CA's Office
9. Berlin Police Department
10. Bethlehem Police Department
11. Boscawen Police Department
12. Bow Police Department
13. Bristol Police Department
14. Brookline Police Dept.
15. Campton PD
16. Canaan PD
17. Carroll County Sherriff
18. Cheshire CA's Office
19. Cheshire County Sheriff's Office
20. Chester Police Department
21. Claremont Police Department
22. Concord Police Dept.
23. Conway Police Dept.
24. Deerfield PD
25. Dept. of Corrections
26. Derry Police Dept.
27. Dunbarton Police Department
28. Enfield Police Department
29. Epping Police Dept.
30. Epsom Police Dept.
31. Exeter Police Dept.
32. Fremont Police Dept.
33. Gilford Police Dept.
34. Goffstown Police Department
35. Grafton County Atty.'s Office
36. Grafton County Sheriff's Department
37. Greenfield Police Dept.
38. Greenland Police Department
39. Hampton Falls Police
40. Hampton Police Dept.
41. Hillsboro County S.O.
42. Hillsboro Police Dept.
43. Hillsborough CA's Office
44. Hinsdale Police Dept.
45. Hollis Police Dept.
46. Hooksett Police Dept.
47. Hudson Police Dept.
48. Jaffrey Police Dept.
49. Kensington Police Dept.
50. Laconia Police Dept.
51. Lebanon PD
52. Lee PD
53. Lincoln Police Dept.
54. Liquor Enforcement
55. Litchfield Police Dept.
56. Littleton Police Department
57. Londonderry Police Dept.
58. Madbury Police Dept.
59. Manchester Police Dpt.
60. Mason Police Dept.
61. Merrimack County Sheriff's.
62. Merrimack Police Dpt.
63. Milford Police Department
64. Milton Police Department
65. Mont Vernon Police Dept.
66. Moultonborough Police
67. Nashua Police Dept.
68. New Ipswich
69. New London Police Dept.
70. Newmarket Police Department
71. Newton Police Dept.
72. NH State Police
73. NH AG's Office
74. North Hampton Police Dept.
75. Pelham Police Dept.
76. Pembroke Police Dept.
77. Peterborough Police Dept.
78. Plaistow Police Dept.
79. Plymouth Police Dept.
80. Raymond Police Dept.
81. Rochester Police Dept.
82. Rockingham CA's Office
83. Rockingham County Sheriff's Office
84. Rye Police Dept.
85. Salem Police Dpt.
86. Seabrook
87. Somersworth Police Dept.
88. Strafford County Sheriff's Office
89. Stratham Police Department
90. Tilton PD
91. UNH Police Dept.
92. Weare Police Dept.
93. Wilton Police Department
94. Windham Police Dept.
95. Wolfeboro PD