

Justin Whitten, Chairperson (Governor’s Designee)  
Tony Mattivi, Vice-Chairperson (Director of the Kansas Bureau of Investigation)

**Kansas Criminal Justice Coordinating Council  
Landon State Office Building, Room 509  
Topeka, Kansas**

**Minutes of October 7, 2024  
1:30 p.m.**

**Council Members in Attendance**

Justin Whitten, Governor’s Designee and Chairperson  
Tony Mattivi, Director of the Kansas Bureau of Investigation and Vice-Chairperson  
Christopher Esquibel, Chief Justice of the Supreme Court Designee – via Zoom  
Steven Anderson, Attorney General’s Designee  
Jeff Zmuda, Secretary of Kansas Department of Corrections  
Colonel Erik Smith, Superintendent of the Kansas Highway Patrol -via Zoom

**Kansas Governor’s Grants Program Staff in Attendance**

Erica Haas, Attorney  
Jill Stewart, Financial Officer  
Jamie Bowser, Director of Operations  
Juliene Maska, Administrator  
Donni Sabel, Analyst  
Kim Gerety, Grants Specialist

**Others in Attendance**

Lisa Hyten, Jackson County Sheriff’s Office  
John Calhoon, Jackson County Sheriff’s Office  
Matt Simpson, Marysville Police Department – via Zoom  
Wellington Police Department – via Zoom  
Anthony Escalante, Marysville Police Department – via Zoom  
Tim Morse, Jackson County Sheriff – via Zoom

**Welcome**

Chairperson Whitten called the meeting to order at 1:30 p.m. At Chairperson Whitten’s request, Ms. Maska called roll and all members were present; therefore, Chairperson Whitten said a quorum existed. Chairperson Whitten welcomed the Kansas Criminal Justice Coordinating Council (Council) members, staff, and others in attendance.

**Approval of July 12, 2024, Minutes**

Chairperson Whitten asked if there were any questions or corrections to the minutes and asked for a motion to approve. No edits or comments were made. Mr. Anderson made a motion to approve the July 12, 2024, minutes, Secretary Zmuda seconded the motion, and the motion passed unanimously.

### **Discuss and approve the 2025 Justice Assistance Grant (JAG) Applications**

KGGP staff introduced themselves. Jill Stewart, Financial Officer, provided an overview of the JAG program including the frequently used acronyms such as JAG and Bureau of Justice Assistance (BJA). The BJA administers JAG funds directly to states and directly to some local jurisdictions. Ms. Stewart explained that the JAG funding has nine specific purpose areas outlined by BJA in the JAG solicitation: law enforcement; prosecution and courts programs, including indigent defense; prevention and education programs; corrections and community corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; crime victim and witness programs (other than compensation); mental health programs and related law enforcement and corrections programs; and implementation of state crisis intervention court proceedings and related programs or initiatives, including mental health courts, dug courts, and veterans' courts.

Applicants are required to identify the purpose area under which they are applying. Ms. Stewart reminded the Council that they approved the five-year JAG Strategic Plan in July 2024, and they will be making decisions under the first year of the Plan during this meeting. She then read the three priorities identified in the Plan. 1. Comprehensive response to mental health, 2. Comprehensive response to substance use (opioids/methamphetamine/other drugs) disorders, and 3. Intimate partner violence and crimes against children.

Ms. Stewart next explained the JAG funding is divided into three categories for distribution: 1. Jurisdictions that cannot apply directly to the BJA because they would not qualify for an award of \$10,000 or more based on a BJA formula (referred to as less than \$10k jurisdictions), 2. Direct local pass through, and 3. Discretionary. Ms. Stewart will provide updates to the Council about how much money is available to award in those three categories as the Council moves through the applications.

Ms. Stewart provided an overview of the external grant reviewer process. The external reviewers did not have information about the amount of funds available for each category of awards. The Council was provided a summary of the reviewer comments. Ms. Stewart then went over the documents that were provided to the Council as follows: 1. A document that lists the applications divided into the various purpose areas for which they were applying, 2. A map of Kansas by county to provide a visual geographic distribution of the applications, and 3. A document that sets out all the applications by purpose areas and how much each one requested. The document indicates an under \$10k jurisdiction with an “\*.” An “!” indicates the application is providing a local contribution toward the proposed project. A “^” indicates some minor components are missing from the application and “^^” indicates a significant amount of information is missing from the application. An “H” indicates the applicant was determined to be a high-risk applicant. The “@” notes an agency that has received JAG funds for the proposed project for more than five years.

Ms. Stewart reminded the Council that in 2023 it held back about \$25,000 to award in future years and that amount is included in the total amount available to be allocated. Ms. Stewart stated the 2024 federal award to Kansas decreased by about \$200,000. Director Mattivi asked for a definition of a high-risk applicant. Ms. Stewart explained KGGP uses a tool required by the Federal Uniform

Guidance to make that determination and the tool includes criteria such as the amount of the request, a record of previous grant management, whether the applicant was timely with reporting

and responding to communications, etc. Director Mattivi asked what the significance is of the notation that an application has been funded more than five years. Ms. Stewart reminded the Council that in 2023 the Council required a special condition for an explanation of sustainability if the applicant had been funded for five or more years by JAG. Director Mattivi asked about supplanting and Ms. Stewart provided a definition of supplanting. Chairperson Whitten expressed appreciation to the external reviewers and to the KGGP staff for the meeting preparation work and for the documents provided to the Council. Chairperson Whitten said he likes the document that divides the applications by purpose area.

Mr. Whitten suggested funding all the applications that were recommended by outside reviewers and KGGP staff for funding for the purpose areas outside of Law enforcement, then dividing the remaining funds among the law enforcement applications. Mr. Anderson asked about meeting the pass-through categories. Ms. Stewart said the required category thresholds would be met if the Council used the approach suggested by Chairperson Whitten. Secretary Zmuda likes the approach but wants to go through all the applications. Director Mattivi asked how much weight the Council should put on a request from an applicant that is in a wealthy Kansas community. Chairperson Whitten is not sure about how to address that concern, or how to ascertain an applicant's need. Ms. Stewart pointed out that the problem statement and needs assessment section of the solicitation is where the need of the applicant is addressed. Ms. Stewart informed the Council that the external reviewers would consider the problem statement and needs assessment prior to making their recommendations. Director Mattivi offered the example that Merriam Police Department demonstrates a need for mental health but the county where it is located is the best funded county for mental health services in Kansas; therefore, he does not want to give application #29 Merriam Police Department a blanket approval.

KGGP raised concerns that application #11 Community Health Center of Southeast Kansas is a large request and is asking for many different areas of funding. Concerns were raised about possible supplanting in application #11. The Council decided to wait to review that application. It was also noted that both applications #6 Brothers in Blue Reentry and #2 Avenue of Life, have received JAG funding for more than five years and have been advised to focus on sustaining their projects without JAG funding. Council members suggested funding them at 80 percent of the recommended amount.

Chairperson Whitten made a motion and Director Mattivi seconded the motion to fund the following applications at the recommended amount: #38 Sunflower House; #36 Shawnee County Department of Correction; #31 National Alliance on Mental Illness Kansas; and to fund the following applications at 80 percent of the recommended amount: #1, 5<sup>th</sup> Judicial District Community Corrections; #2 Avenue of Life; #6 Brothers in Blue Reentry; and #32 Northwest Kansas Community Corrections. The motion passed.

Chairperson Whitten made a motion to approve application #24 Kansas Judicial Branch at the recommended amount. Director Mattivi seconded the motion, and it passed. Mr. Esquibel abstained from voting.

Ms. Stewart informed the Council there is about \$1.66 million in current funds available after the motions to approve the above applications.

Mr. Whitten moved the discussion to law enforcement applications and applicants #11 and #29. He also noted that law enforcement officer equipment requests are over \$2 million. The Council discussed how to approach these applications. Mr. Anderson asked Colonel Smith if the Kansas Highway Patrol (KHP) application submitted to BJA has been approved. KHP applied for the same request for JAG funds directly to BJA. Colonel Smith said the BJA announcement is expected at the end of October.

The Council discussed applications #10 Coffeyville Police Department; #17 Gardner Police Department; #27 Marysville Police Department, and #28 Meade County Sheriff's Office; all asked for TruNarc Drug Analyzers. Applicants #27 and #28 have a “^” symbol indicating an incomplete application for not addressing the Death in Custody Reporting Act (DCRA) and asset forfeiture requirements. Director Mattivi said last year he asked that the asset forfeiture requirement be included in the Kansas JAG solicitation; however, all law enforcement departments have now complied with the asset forfeiture reporting requirement, so he is no longer concerned about that issue. Director Mattivi suggested approving one analyzer and one device up to \$40,000 for Narcan devices for these four applications (\$31,093 for #17). Chairperson Whitten made such motion and Director Mattivi seconded the motion and it passed. Ms. Stewart said with the awards tentatively approved there is about \$1.5 mill left to allocate.

The Council discussed applications #23 KHP; #45 Unified Government of Wyandotte County/Kansas City, Kansas Sheriff's Office; and #9 Coffey County Sheriff's Office. These applicants asked for body worn cameras. Mr. Anderson suggested awarding money to #23 but putting a funding contingency plan in place if it gets funding for its project from BJA. Ms. Stewart explained a timeline would need to be attached to that contingency plan and that contingency plan would need to be approved by BJA and any contingency approvals for other projects would be placed on hold until #23 notified KGGP whether money was received from BJA. Ms. Stewart also pointed out #23 is in the discretionary silo so any contingency awards would also need to be out of the discretionary silo. She further explained, based on what has already been allocated there is only around \$400,000 left in the discretionary silo to fund #23. The Council decided against funding #23 at this point in the process. It was noted by Council members that the applicant could approach the Kansas Legislature with a funding request during the 2025 Legislative Session. Chairperson Whitten said if #23 still needs the money it can come apply for JAG funding next year and the Council will place the application at the top of the equipment list. Other members agreed with that approach. Colonel Smith abstained from commenting.

Mr. Anderson moved to approve applications #45 and #9 at the maximum recommended amount and Director Mattivi seconded the motion. The motion passed. Director Mattivi moved to approve application #20 Jackson County Sheriff's Office and Chairperson Whitten seconded the motion. The motion passed. Colonel Smith discussed application #30 Morris County Sheriff's Office. The Council members agreed the request is for more than needed for body camera basic functionality. Director Mattivi made a motion and Mr. Anderson seconded the motion to award \$83,840 to #30. The motion passed.

The Council discussed application #26 Kingman County Sheriff's Office. The application is requesting a 911 workstation. The Colonel said it does not address the encryption issue and thinks

the application addresses a community safety issue not just a law enforcement issue. No action taken on application #26.

Ms. Stewart informed the Council with the tentative approvals made so far there is about \$709,000 available for local governmental agencies and \$254,000 available in the discretionary category.

Director Mattivi made a motion to deny applications #5 Bel Aire Police Department and #15 Douglas County Sheriff's Office because they both requested virtual simulators. Council members agree simulators do not fall into a JAG purpose area, are too costly, and are not necessary. Mr. Anderson seconded the motion, and the motion passed.

The Council discussed the request to update a digital forensic computer made in application #18. Director Mattivi made a motion and Secretary Zmuda seconded the motion to fund #18 Hiawatha Police Department at the maximum recommended amount. The motion passed.

The Council agreed to discuss applications #21 Johnson County Crime Lab; #22 Kansas City Kansas Police Department; and #33 Oakley later during the meeting. The Council did not act on #21 because it is a resource rich area, it will be moved to the end of the list for consideration. The Council initially agreed to fund #22 at the recommended amount but Colonel Smith voted no. He was concerned with the cost of the body armor and Narcan in the application. The Council agreed to not act on the application until later in the meeting. The Council started to discuss application #33 Oakley Police Department and then decided to hold making a recommendation until later in the meeting.

Director Mattivi moved, and Mr. Anderson seconded the motion to fund #34 Pratt Police Department at the recommended amount. The motion passed.

Ms. Stewart advised the Council there is \$699,000 available for local government agencies and \$254,000 in the discretionary category.

Mr. Anderson made a motion and Secretary Zmuda seconded it to fund #43 Wellington Police Department at 90 percent of the recommended amount. The motion passed. Director Mattivi said digiTICKET and body scans are not within the scope of JAG. Chairperson Whitten said application #41 Valley Falls Police Department lacked clarity. Colonel Smith made a motion to deny application # 41. Director Mattivi seconded the motion, and it passed.

Director Mattivi made a motion to fund #35 Scott City Police Department for the cost of tasers only. Colonel Smith seconded the motion, and it passed. The Council agreed to pass over applications #26 and #23. Mr. Anderson made a motion to fund #22 for \$68,334. Colonel Smith seconded the motion, and it passed.

The Council members support funding #29 Merriam Police Department as it fits a JAG purpose area. Secretary Zmuda made a motion to approve #29 at 80 percent of the recommended amount. Mr. Anderson seconded the motion, and the motion passed.

The Council discussed application #11 Community Health Center of Southeast Kansas. The KGGP staff mentioned the applicant is receiving a \$900K grant for drug courts. Colonel Smith suggested

funding the applicant for \$148,000, which would not include health care costs or I-pads. The Council expressed concerns about supplanting because the applicant identified staff by name in the application that are proposed to be new positions. Chairperson Whitten moved to fund applicant #11 for \$148,000 with a special condition that the applicant provide documentation that supplanting is not occurring. Director Mattivi seconded the motion, and it passed.

The Council discussed whether application #26 fits a JAG priority and agreed it does address a law enforcement purpose. Colonel Smith made a motion to fund #26 at the full recommended amount. Mr. Anderson seconded the motion, and it passed.

The Council discussed application #21. The applicant is requesting an alternative light source to enhance domestic violence evidence collection. Director Mattivi made a motion to fund half of the recommended amount. Secretary Zmuda seconded the motion, and it passed.

Director Mattivi made a motion to not allocate the remaining amount available for local applicants and to award \$105,678 to application #23. Mr. Anderson seconded the motion, and it passed. Colonel Smith abstained from the vote.

Chairperson Whitten made a motion to approve the following awards as read to the Council by Ms. Stewart. Director Mattivi seconded the motion, and it passed. Colonel Smith abstained from voting on the Highway Patrol's application and Mr. Esquibel abstained from voting on the Kansas Judicial Branch application.

5th Judicial District Community Corrections, Lyon \$40,000, #1  
Avenue of Life, Wyandotte \$63,425, #2  
Brothers In Blue Reentry, Leavenworth \$98,628, #6  
Coffey County Sheriff's Office, Coffey \$71,000, #9  
Coffeyville Police Department, Montgomery \$40,000, #10  
Community Health Center of Southeast Kansas, Crawford \$148,000, #11  
Gardner Police Department, Johnson \$31,093, #17  
Hiawatha Police Department, Brown \$15,853, #18  
Jackson County Sheriff's Office, Jackson \$83,840, #20  
Johnson County Crime Lab, Johnson \$30,819, #21  
Unified Gov't. of WY Co/KCK - Kansas City KS Police Dept., Wyandotte \$68,334, #22  
Kansas Highway Patrol, Shawnee - Statewide \$105,678, #23  
Kansas Judicial Branch, Shawnee - Statewide \$83,545, #24  
Kingman County Sheriff's Office, Kingman \$167,766, #26  
Marysville Police Department, Marshall \$40,000, #27  
Meade County Sheriff's Office, Meade \$40,000, #28  
Merriam Police Department, Johnson \$85,002, #29  
Morris County Sheriff's Office, Morris \$83,840, #30  
National Alliance on Mental Illness Kansas, Shawnee \$95,713, #31  
Northwest Kansas Community Corrections, Ellis \$79,236, #32  
Pratt Police Department, Pratt \$10,495, #34  
Scott City Police Department, Scott \$45,492, #35  
Shawnee County Department of Corrections, Shawnee \$71,000, #36

Sunflower House, Johnson \$29,304, #38  
Wellington Police Department, Sumner \$154,966, #43  
Unified Gov't. of WY Co/KCK - Wyandotte Co. Sheriff's Office, Wyandotte \$141,813, #45  
Total: \$1,924,842

Chairman Whitten made a motion to deny the following applications and Mr. Anderson seconded the motion. The motion passed.

Barber County Sheriff, #3  
Basehor Police Department, #4  
Bel Aire Police Department, #5  
Butler County Sheriff's Office, #7  
CASA of Johnson and Wyandotte Counties, #8  
Council Grove Police Department, #12  
Derby Police Department, #13  
Dodge City Police Department, #14  
Douglas County Sheriff's Department, #15  
Episcopal Social Services, #16  
Hutchinson Police Department, #19  
Kansas Wesleyan University, #25  
Oakley Police Department, #33  
Sunflower Children's Collective, #37  
City of Topeka Police Department, #39  
City of Valley Center, #40  
Valley Falls Police Department, #41  
Village Initiative, #42  
City of Wichita Police Department, #44

### **Other Business**

DCRA update. Ms. Stewart reminded the Council that KGGP is required to report on a quarterly basis to BJA any deaths in custody, including deaths occurring during arrests. The KGGP was contacted two weeks ago by the Justice Information Resource Network, the DCRA technical assistance provider. BJA does not consider Kansas to be in full compliance. The main reason for the non-compliance designation is that in CY 2023 there were deaths during arrests in Kansas and KGGP did not have that information; therefore, did not report it.

The Federal JAG application is due in about two weeks. The KGGP must update the Kansas DCRA Plan and address any gaps that exist in the KGGP reporting requirements. Ms. Stewart explained that BJA could levy a 10 percent penalty of the Kansas JAG award if Kansas does not come into DCRA reporting requirements.

Director Mattivi said there is currently a method for local law enforcement agencies to report to the Kansas Bureau of Investigation (KBI) when there are deaths in custody, in compliance with Kansas law. Ms. Haas explained that the reporting requirements in DCRA are broader than in Kansas statute. Ms. Maska suggested that KGGP could provide funding to the KBI to collect the

DCRA information. The KGGP staff will follow up with Director Mattivi to discuss how the two agencies can collaborate going forward to meet the DCRA reporting requirements.

**Adjournment**

Director Mattivi made a motion to adjourn at 4:50 p.m. Mr. Anderson seconded the motion, and the motion passed.