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Drug Enforcement and Safe Neighborhood Programs

Sec. 21a-274a-1. Drug enforcement program definitions

The following definitions apply only to the drug enforcement program, as used in sections 21a-274a-1 through 21a-274a-4, inclusive, of these regulations:

(1) “Application” means a request by the state-wide narcotics task force, the department of public safety, the division of criminal justice or a municipality or combination of municipalities for funding under the drug enforcement program submitted on the correct forms and in accordance with the directions issued by the Office of Policy and Management, 450 Capitol Avenue, Hartford, Connecticut 06106-1308.

(2) “Crime prevention activities” means one or more activities undertaken by municipalities through neighborhood organizations, including public housing tenant organizations. Such activities may include, but are not limited to programs such as block watches, neighborhood clean-up, community drug education, other reclamation activities, and recreational activities for youths, concentrated on areas with high rates of drug trafficking and crime.

(3) “Drug enforcement program monies” means the sum appropriated to the office of policy and management for that program, and not allocated to the safe neighborhoods program by the secretary of the office of policy and management.

(4) “Drug law enforcement” means any activity of sworn law enforcement officers of local, state or federal governments, the primary purposes of which is to enforce state or federal laws governing the manufacture, cultivation, distribution, sale, use or possession of controlled substances as defined in section 21a-240 (9) of the general statutes and includes community policing activities directed at areas with high rates of drug trafficking.

(5) “Drug law enforcement training” means any training for personnel of any state or local law enforcement agency intended to enhance the agency’s drug law enforcement capability, provided such training for local law enforcement personnel shall be approved by the municipal police training council.

(6) “Education training activities” means training for personnel of any private or public elementary or secondary school intended to enhance the school’s ability to provide substance abuse prevention education or to respond to substance abuse problems among the school’s students, provided such training shall be approved by the state department of education. “Education training activities” may also include non-school based substance abuse prevention education or response training, but funds for such training may not be included for purposes of fulfilling the substance abuse prevention education expenditure requirement of any grant.

(7) “Local drug enforcement task force enhancement program” means a program of allocating additional drug enforcement program monies to those municipalities participating in multi-municipality cooperative police task forces which focus on drug trafficking, and which task forces have been in continuous existence for not less than three years.

(8) “Per capita drug abuse violation rate” means the rate determined by dividing a municipality’s total number of drug abuse violations, as reported in the most recent Crime in Connecticut Annual Report published by the Department of Public Safety, by its population, and multiplying the resulting figure by 100,000. Municipalities for which statistics are not available shall be rated at zero. Population figures used shall be the most recent census taken by the United States bureau of census. The rate shall be computed as of the first day of July for each year.

(9) “State-wide narcotics task force” means that organization established by sections 29-176 through 29-179 of the general statutes.

(10) “Substance abuse prevention education” means a course or program of instruction in any private or public elementary or secondary school within an applicant’s jurisdiction, and which course or program is in accordance with section 10-19 (a) of the general statutes and, for municipalities receiving funding under the federal Safe and Drug-Free Schools Program, P.L. 103-382, will also complement the program plan submitted to and approved by the state department of education. The term also includes school-based education training activities when approved by the state department of education.

(11) “Summer youth recreation program” means organized recreational activities, operated by or under the auspices of a municipality, primarily for youths who have attained five years of age and who will not have attained nineteen years of age by the thirty-first day of December for the year of the program. The activities shall have the goal of preventing crime and promoting positive development by providing constructive activities for youths who are at high risk of involvement in crime, illegal drugs and gangs. Summer youth recreation programs shall operate only during all or a portion of the period between the day following the last day of the school year for that municipality, and the first day of the next school year.

(12) “Supplanting” means using grant funds in place of local or other state funds currently budgeted for an activity and thereby reducing the expenditure of local or other state funds, or, alternatively, removing local or other state funds from an activity supported by grant funds with the effect that the activity is not increased or enhanced by the full value of the grant funds applied.

(Adopted, effective January 31, 1994; amended April 18, 1996; June 29, 1998, February 24, 2000, June 26, 2001, August 5, 2003)

Sec. 21a-274a-2. Drug enforcement program description

(a) The office of policy and management may make grants to the state-wide narcotics task force, the department of public safety, the division of criminal justice and municipalities or combinations of municipalities for drug law enforcement, drug law enforcement training, crime prevention activities related to drug law enforcement (including summer youth recreation programs), substance abuse prevention education and education training activities from the drug enforcement program monies.

(b) The state-wide narcotics task force, the department of public safety and the division of criminal justice may upon application receive grants from the sum appropriated or otherwise available to the office of policy and management for this purpose. The grants may be used for any purpose permitted under paragraph (a) of this section. The project or projects to be undertaken with these grants and the level of funding shall be pre-negotiated with the office of policy and management.

(c) (1) The office of policy and management shall determine the number of grants to municipalities that can be made with the funds available for that purpose, considering the minimum grant size deemed necessary for effectiveness, the cost to the state and the municipality of administering such grants, and the overall impact of the program statewide. The office of policy and management shall compute the per capita drug abuse violation rate for all municipalities for which statistics are available, and arrange the municipalities in order from highest to lowest. The number of municipalities with the highest per capita drug abuse violation rate corresponding to the number of grants to be made, as determined by the office of policy and management, shall be eligible for grants from the drug enforcement program.

(2) The grant award amounts of each eligible municipality shall be calculated as follows: (A) the total funds available for drug enforcement program grants to municipalities shall be divided equally into two pools; (B) one pool shall be allocated based upon each municipality's pro rata share of the total population of all eligible municipalities, and the other pool shall be allocated based upon each municipality's pro rata share of the total drug abuse violation arrests made in all eligible municipalities; and (C) the two pool allocations for each municipality shall be added together, and that sum shall be the grant award amount for each eligible municipality.

(3) (a) For fiscal year 2002—2003 only, grant award amounts as determined by this section shall be modified in that no eligible municipality shall receive a grant award amount larger than the amount it received in fy 2000—2001, if it had received an award in fy 2000—2001. Any eligible municipality which did not have a drug enforcement program grant in fy 2000—2001 shall have its grant award amount set in keeping with those of other eligible municipalities of similar size and per capita drug abuse violation rate, at the discretion of the office of policy and management. For the fiscal year 2003—2004 and thereafter, grant award amounts shall be to the same municipalities and in the amounts provided in fy 2002—2003, except that the amount of the grant payable to each such municipality shall be reduced proportionally in the event that the total of such grants exceeds the amount available for the purposes of this section with respect to said fy 2003—2004 and following fiscal years thereafter.

(b) For fiscal year 2002—2003 only, grant award amounts as determined by this section shall also be modified in that no eligible municipality which had qualified as an entitlement city for the purposes of this program in fy 2000—2001, under the regulations then in effect, shall receive a grant award amount less than 45% of the grant award amount it received in fy 2000—2001. A partial grant award may be made to the last eligible municipality for which funds are available, if such amount is sufficient to justify the costs of administering a grant, and to provide an effective response to drug trafficking and abuse in that community.

(4) At least 50% of each grant shall be used for substance abuse prevention education purposes in both public and private schools as required by the guidelines for the federal Safe and Drug-Free Schools Program, P.L. 103-382. Funds allocated to the summer youth recreation program or the local drug enforcement task force enhancement program shall not be considered in calculating the 50% substance abuse prevention education requirement. For fiscal year 2002—2003 only, the 50% substance abuse prevention education requirement may be waived on the written request of an applicant municipality. For the fiscal year 2003—2004 only, the 50% substance abuse prevention education requirement may also be waived, except that only one-half of the requirement shall be waived for that year.

(5) All funds awarded under this program shall be used to initiate new activities or expand existing efforts. No supplanting shall be permitted. Grantees may assign experienced police officers not paid with grant funds to perform grant-related activities, and use grant funds to pay salary or overtime costs to replace these officers at their normal assignments ("backfilling"). Supplanting shall not occur as long as the amount of grant funds used for replacement costs equals or exceeds the amount of salary paid to the experienced officers performing grant-related duties.

(d) The office of policy and management shall notify each municipality which has qualified for a drug enforcement program grant award of the amount of the award, the process for submitting an application, and the due date for the application. The application shall consist of: (A) a project narrative, including a description of the problem(s) to be addressed and the goal(s); (B) a budget; (C) a budget narrative;

and (D) such forms as may be required by the office of policy and management for administration of the grant. Applicant municipalities shall afford the superintendent of schools for their school district an opportunity to review and comment on the proposed application, and shall give consideration thereto, prior to its submission to the office of policy and management.

(e) (1) The office of policy and management shall design an application process for the summer youth recreation program which shall be separate from that for the drug enforcement program. A different due date may be specified; and the awards shall be separate from those of the applicant municipalities' drug enforcement program grants. If the amount of funds allocated by the secretary of the office of policy and management to the summer youth recreation program in any year is the same as was allocated to the program in the previous year, eligibility shall be limited to those municipalities which received grants under the program in that year, and grants shall be in the same amount as each applicant municipality received in that previous year. If the amount of funds allocated by the secretary to the summer youth recreation program in any year is less than was allocated to the program in the previous year, eligibility shall be limited to those municipalities which received grants under the program in that previous year, and grants shall be reduced proportionately from the amount each applicant municipality received in the previous year. If the amount of funds allocated by the secretary to the summer youth recreation program in any year shall exceed the amount allocated to the program in the previous year by an amount sufficient to fully fund all municipalities which qualify as priority school districts under section 10-266p(a) and (b) of the general statutes, grants shall be in the following amounts: municipalities with populations exceeding 120,000 persons, \$138,000 per municipality; municipalities with populations exceeding 100,000 but less than 120,000 persons, \$75,000 per municipality; municipalities with populations exceeding 65,000 but less than 100,000 persons, \$45,000 per municipality; municipalities with populations exceeding 55,000 but less than 65,000 persons, \$30,000 per municipality; municipalities with populations exceeding 40,000 but less than 55,000 persons, \$25,000 per municipality; municipalities with populations exceeding 15,000 but less than 40,000 persons, \$20,000 per municipality, and municipalities with populations of less than 15,000, \$12,000 per municipality.

(2) The secretary of the office of policy and management shall allocate a portion of the funds appropriated to the office of policy and management for the drug enforcement program to the summer youth recreation program.

(f) (1) The office of policy and management shall design an application process for the local drug enforcement task force enhancement program which shall be separate from that for the drug enforcement program. A different due date may be specified; and the awards shall be separate from and in addition to applicant municipalities' drug enforcement program grants, if any. Eligibility shall be limited to those municipalities participating in local drug enforcement task force enhancement programs as defined in section 21a-274a-1(7), and only one grant shall be made per task force. Each grant shall be made to one municipality participating in the task force, which municipality shall act as administrative agent for all municipalities participating in that task force. Each qualifying task force shall share equally in the funds designated for this program.

(2) The purpose of the local drug enforcement task force program is to provide additional resources through grants to existing such task forces, separate and in addition to those resources which may be provided through the drug enforcement program. Grants awarded under the local drug enforcement task force enhancement

program shall not be subject to the 50% substance abuse prevention education requirement.

(3) The secretary of the office of policy and management shall allocate a portion of the funds appropriated to the office of policy and management for the drug enforcement program to the local drug enforcement task force enhancement program.

(Adopted, effective January 31, 1994; amended April 18, 1996; June 29, 1998, February 24, 2000, June 26, 2001, August 5, 2003, November 15, 2004)

Secs. 21a-274a-3—21a-274a-4.

Repealed, August 5, 2003.

Sec. 21a-274a-5. Safe neighborhoods program description

The purpose of the safe neighborhoods program is to improve public safety in selected urban neighborhoods (including public housing) with high rates of crime and drug trafficking, through increased police presence and crime prevention activities involving residents. The program is intended to concentrate resources on a safe neighborhoods project area, and may not be used for a citywide project (except the police overtime component). As used in sections 21a-274a-5 through 21a-274a-9, inclusive, of these regulations, the term “safe neighborhoods project area” means a single neighborhood within a municipality selected by the municipality to be eligible for a safe neighborhoods grant. A “single neighborhood” may include more than one traditional neighborhood, provided that all are contiguous along major sections of their boundaries, and share similar or related public safety concerns. The secretary of the Office of Policy and Management may, for good cause shown, and after completion of the first year of the grant, permit the municipality to expand its safe neighborhoods project area to include contiguous areas in which the crime rate has increased due to displacement from the safe neighborhoods project area. The secretary may also, for good cause shown, permit a municipality to use safe neighborhoods program grant funds to temporarily increase police presence in high crime areas outside the safe neighborhoods project area. This program is competitive, and not all applicants are assured of funding. The program contains the following components:

(1) New police officers may be hired by municipalities to increase police presence in their safe neighborhoods project areas. As an alternative, experienced officers may be used for project purposes, provided that they are replaced on a one-to-one basis in their regular assignments by the officers who were newly hired under the grant. Deployment and tactical use of these officers shall be at the discretion of the municipalities, but shall be within the safe neighborhoods project area’s boundaries, except on a temporary basis as provided in this section;

(2) The officers hired under the safe neighborhoods program may be trained at the municipal police training council at no cost to the municipalities;

(3) Municipalities may establish police sub-stations within their safe neighborhoods project areas;

(4) Crime prevention activities, such as neighborhood crime watches, cleanups, senior citizen programs and positive youth development programs, may be established within safe neighborhoods project areas. These programs should involve neighborhood organizations and residents;

(5) Municipalities may develop programs offering small grants for physical improvements to homes, businesses and public spaces to increase public and private security within the safe neighborhoods project areas. These improvements may include such items as fencing, lighting or alarm systems; and

(6) Municipalities may hire officers through overtime to control the illegal use of firearms anywhere within their boundaries.

The secretary of the Office of Policy and Management may allocate funding among each of the foregoing components, including not funding one or more components, as he shall determine may be in the best interest of the safe neighborhoods program.

(Adopted, effective January 31, 1994; amended April 18, 1996)

Sec. 21a-274a-6. Safe neighborhoods program funding and eligibility

(a) The secretary of the office of policy and management shall allocate a portion of the funds appropriated to the office of policy and management for the drug enforcement program to the safe neighborhoods program.

(b) The following municipalities are eligible to apply for funding under the safe neighborhoods program: Bridgeport, Danbury, Hartford, Meriden, Middletown, New Britain, New Haven, New London, Norwalk, Norwich, Stamford, Waterbury and Windham. Each applicant municipality shall select a safe neighborhoods project area. The office of policy and management may not consider more than one application for new safe neighborhoods projects per eligible municipality, nor applications for more than one neighborhood, other than applications for the continuation of pre-existing projects. This program is competitive, and not all applicants are assured of funding. The following maximum program component funding limits apply:

- (1) police officers . . . maximum of \$40,000 per full-time officer per full year
 - (A) Bridgeport, Hartford and New Haven up to 20 officers
 - (B) Stamford and Waterbury up to 15 officers
 - (C) All other eligible cities up to 10 officers
- (2) basic recruit training provided at no cost for all program officers through the municipal police training council
- (3) police sub-stations. up to \$500,000 per municipality
- (4) crime prevention up to \$50,000 per municipality
- (5) security enhancement programs up to \$200,000 per municipality
- (6) Police overtime (varies by population) Population
 - A. Over 120,000 up to \$270,000 per municipality
 - B. 100,000 to 119,999 up to \$170,000 per municipality
 - C. 55,000 to 99,999 up to \$100,000 per municipality
 - D. 40,000 to 54,999 up to \$60,000 per municipality
 - E. Under 40,000. up to \$40,000 per municipality

(c) The office of policy and management may transfer funds within the police overtime component's population categories in the event that not all funds within any population category are awarded.

(d) Applications for amounts in excess of these limits shall be considered to be requests for the maximum amounts permitted. Applications need not request funding in each component area, and the office of policy and management may award funding in some component areas requested, but elect not to fund other components of the application, or may reduce funding below the amount requested in the application.

(e) Funding for police officer positions under safe neighborhoods program grants initially awarded during fiscal year 1993-1994 shall be at the rate of 100% during fiscal years 1993-1994 and 1994-1995. Funding for police officer positions under these grants for subsequent fiscal years, if an appropriation for that purpose is enacted, shall be at the rate of 75% for fiscal year 1995- 1996, and 50% for fiscal year 1996-1997. If appropriations are available to permit new projects to be funded after fiscal year 1993-1994, police officer positions under those grants shall be funded at the rates of 100% during the projects' first two fiscal years (including

partial years), 75% during their third fiscal year, 50% during their fourth fiscal year, 40% during their fifth fiscal year, 30% during their sixth fiscal year, and 20% during their seventh fiscal year, which shall be the final year of funding for these projects. For municipalities initially awarded Safe Neighborhoods Program grants in fiscal year 1993-1994, the office of policy and management, in lieu of applications for new project funding, may continue funding for police officer positions at 100% for fiscal years 1995-1996 and 1996-1997. These municipalities would then receive funding at 75%, 50%, 40%, 30%, and 20%, respectively, for fiscal years 1997-1998, 1998-1999, 1999-2000, 2000-2001, and 2001-2002, which shall be the final year of funding for these projects. All rates are based on the maximum allowance of \$40,000 per full-time officer per year, in accordance with subsection (a) of section 21a-274a-7. All projects, regardless of their initial year of award, shall terminate upon expenditure of their fiscal year 2001-2002 funds.

(f) The municipal police training council is eligible to receive funds to pay for basic recruit training for police officers hired under this program.

(g) Notwithstanding subsection (a) of this section, for fy 2003—2004 and following fiscal years thereafter, grant awards under the safe neighborhoods program as determined by this section shall not be funded.

(Adopted, effective January 31, 1994; amended April 18, 1996, February 24, 2000, November 15, 2004)

Sec. 21a-274a-7. Guidelines for safe neighborhoods program components

(a) The office of policy and management may allow up to a maximum of \$40,000 per full-time officer per full year for base salary, fringe benefits and standard issue equipment (except vehicles). Any costs above \$40,000 for these items, or other officer-related costs such as recruiting and testing costs associated with hiring new police officers and overtime, are the responsibility of the municipality. No funds from this program may be used to purchase or lease vehicles of any kind. Personnel costs (as above) for officers hired under this program while undergoing recruit training may be paid from the grant. Municipalities shall either assign the newly hired officers within the safe neighborhoods project area or, as an alternative, use existing experienced officers for their safe neighborhoods project, and deploy the newly hired officers as replacements for those officers at their regular assignments on a one-to-one basis (backfilling).

(b) Basic recruit training for officers hired under this program shall be provided at no cost to the municipalities by the municipal police training council. Municipalities may elect to provide basic training for their new officers by other means; however, no additional allowance shall be made for officers who receive their recruit training other than through the municipal police training council. No in-service training may be covered by this program.

(c) State bond funds may be authorized to permit the establishment of police sub-stations. The office of policy and management shall make recommendations to the state bond commission for funding under this component. Authorization of these funds is at the discretion of the state bond commission. The funds may be used to purchase a suitable building in the safe neighborhood area, or to pay for necessary renovations and equipment for a municipally-owned or leased facility to make it suitable for use as a police sub-station. State bond funds cannot be used for lease payments (rent). Renovations or improvements should be major, and intended to make the property suitable for sub-station use for at least ten years. Equipment, unless incidental to a major renovation or improvement, should have an expected ten year life. There is a 10 year recapture rule which requires that the property bought, renovated, or improved, and any equipment paid for under this program

shall be used for grant purposes for the life of the grant, and then used for a public purpose (not necessarily grant related) to a total of ten years. Failure to comply with this requirement shall require repayment of a pro rata share of the state bond funds involved.

(d) Safe neighborhood crime prevention projects include such activities as crime watches, recreational programs, neighborhood clean-ups, senior citizen programs and positive youth development programs. At least 75% of grant funds in this category shall go to, or be spent on behalf of, neighborhood organizations. The remainder may be used by the municipality to support neighborhood organization activities with services or equipment.

(e) State bond funds may be available to municipalities to enable them to offer security enhancement programs for residents and businesses in the safe neighborhoods project areas. The office of policy and management shall make recommendations to the state bond commission for funding under this component. Authorization of these funds is at the discretion of the state bond commission. Small grants (a match requirement may be included if desired) may be made by municipalities for physical improvements to homes, businesses and public spaces to increase public and private security. These improvements could include such items as fencing, lighting or alarm systems. The security enhancements funded should be substantial and intended to last ten years. Since these grants may be made to the owners of private property and may be "environmental" rather than structural in nature, there shall be no recapture provision. Municipalities shall develop and document a recipient selection process which is impartial and will ensure the most favorable impact on their safe neighborhoods project areas. The following grant limits shall apply for state bond funds:

- (1) residential buildings \$1,500 per dwelling unit;
- (2) commercial/industrial buildings \$15,000 per company or business; and
- (3) public property (except housing) \$200,000 per city.

The total grant amounts may be higher if matching funds or other contributions are included.

(f) Police overtime funds may be used to improve public safety in neighborhoods where there has been a high incidence of crimes committed with firearms, through projects which increase police presence during times when it is most needed to deter and control illegal use of firearms. The neighborhood(s) selected for this program are not required to be the same as or within the safe neighborhood project area, and may be citywide.

(Adopted, effective January 31, 1994; amended April 18, 1996)

Sec. 21a-274a-8. Application due date and process

Applications for the safe neighborhoods program shall be due at the office of policy and management at a time and date announced by the office of policy and management and provided to each eligible municipality. The application process for the police overtime component may be separate from the application process for other components. Early submission is permissible. Facsimile copies are not acceptable, and the office of policy and management will not accept applications via facsimile machine. Each application shall be submitted on forms prepared by the office of policy and management, which may be duplicated as needed, or on computer generated forms which are substantially similar in form and content to

the office of policy and management forms. To be considered complete, an application must be signed by either the chief elected official or city manager as appropriate. If municipal legislative approval is necessary, signature is still required, but the application may note that the submission is pending legislative authorization. An application shall also contain a project narrative, budget, and budget narrative.

(Adopted, effective January 31, 1994; amended April 18, 1996)

Sec. 21a-274a-9. Safe neighborhoods program review criteria and process

(a) The office of policy and management shall convene a review panel which shall review, score, and make funding recommendations to the secretary of the office of policy and management regarding all applications which were timely submitted and deemed to be complete. This program is competitive, and not all applicants are assured of funding. Each application shall be rated in the following categories:

(1) public safety needs of the proposed safe neighborhoods project area;

(2) adequacy of the plan to improve public safety in the safe neighborhoods project area;

(3) community and city support for the project; and

(4) ability to implement the project in a timely fashion.

These ratings shall be combined into a total score, with categories 1 and 2 each weighted at 30% of the total score, and categories 3 and 4 weighted at 20%. In the event of tie scores, the application having the highest rating for category 1 shall be deemed to have the highest score.

(b) Applications for the police overtime component shall specifically identify the neighborhoods and time periods in which project activities will take place. Applications for this component shall be rated solely upon the need for increased police presence in those areas and times, as demonstrated by the past incidence of the use of firearms in the commission of crimes.

(c) The panel may recommend to the secretary a reduction or elimination of funding for any program component requested in an application to achieve a level of funding for each application which, in its discretion, it deems appropriate for the proposed project.

(d) The secretary of the office of policy and management shall make the final decisions on the award of grant funds and the recommendations of state bond fund allocations under the safe neighborhoods program.

(Adopted, effective January 31, 1994; amended April 18, 1996)

Sec. 21a-274a-10. Supplanting of local funds prohibited

State funds from the safe neighborhoods program may not be used to supplant local funds. Supplanting is defined as the use of grant funds in place of local funds currently budgeted for an activity and thereby reducing the expenditure of local funds for that activity. Supplanting can also be defined as removing local funds from an activity supported by grant funds with the effect that the activity is not increased or enhanced by the full value of the grant funds applied. All funds awarded under the safe neighborhoods program shall be used to initiate new activities or expand existing efforts with regard to the municipal budget in effect for each fiscal year of the grant. In addition, because this is a multi-year program, cities are expected to at least maintain the level of services provided with city funds to their safe neighborhoods project areas throughout the life of the grant. This section shall not apply to funds in excess of the 75% rate in fiscal year 1995-1996 and the 50% rate in fiscal year 1996-1997 for each police officer position received by municipalities

whose initial safe neighborhoods program grants were issued in fiscal year 1993-1994.

(Adopted, effective January 31, 1994; amended April 18, 1996)

Sec. 21a-274a-11. Compliance

The office of policy and management reserves the right to inspect, monitor and audit all grantees under the drug enforcement and safe neighborhoods programs to ensure that grant funds are properly spent, and that all grant conditions are being met. The office of policy and management may require periodic reports from grantees as part of this process, and may withhold funds until such reports are received. Funds spent in violation of grant purposes and conditions may be disallowed as grant expenditures.

(Adopted, effective January 31, 1994; amended April 18, 1996)

Sec. 21a-274a-12. Involuntary termination of grants

(a) In order to ensure effective use of drug enforcement and safe neighborhoods program funds, the office of policy and management reserves the right to terminate any grant which it deems to be not viable. If a project is not operational within 90 days of the original starting date of the grant period, the grantee shall submit a statement explaining the implementation delay. Upon receipt of the 90 day letter (or 100 days after the project starting date), the office of policy and management may terminate the grant, or where extenuating circumstances exist and start-up appears imminent, extend the implementation date of the project, at its discretion. Grantees whose awards are terminated shall return all unexpended funds to the office of policy and management within a reasonable period of time.

(b) For the safe neighborhoods program, any grant whose police officer and crime prevention components are not active within nine months of the date on which the grant was issued shall be deemed not viable. In the case of police officers, "active" means that the new officers are hired and on the payroll, and that the proposed project activities are taking place in the safe neighborhoods project area.

(Adopted, effective January 31, 1994; amended April 18, 1996)