HOUSE DOCKET, NO. 3591 FILED ON: 4/16/2013

HOUSE . . . . . No. 3501

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Heroux

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish and award grants for the reduction of violence in municipalities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul R. Heroux	*2nd Bristol*
Colleen M. Garry	*36th Middlesex*
Carlos Henriquez	*5th Suffolk*
Eileen M. Donoghue	*First Middlesex*

HOUSE DOCKET, NO. 3591 FILED ON: 4/16/2013

HOUSE . . . . . No. 3501

By Mr. Heroux of Attleboro, a petition (subject to Joint Rule 12) of Paul R. Heroux and others for legislation to establish and award grants for the reduction of violence in municipalities. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to establish and award grants for the reduction of violence in municipalities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for the operation of the executive office of public safety and security the sum set forth in section 2, for the purposes and subject to the conditions specified in section 2, is hereby appropriated from the General Fund unless specifically designated otherwise, subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2014.

SECTION 2.

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

8100-XXXX For a grant program to be known as the high-crime violence reduction program established pursuant to and conditioned on the requirements set forth in section 116G of chapter 6 for municipalities to receive support for the purpose of training police to reduce violence in high-crime municipalities, ……. $3,000,000

SECTION 3. Chapter 6 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 116F the following section:-

116G. (a) As used in this section, the following words shall have the following meanings:

"Grant contract", contract awarded in accordance with this section to a vendor by a qualifying municipality for services.

"EOPSS", executive office of public safety and security.

18 “Firearm violence”, violence by means of a firearm, including fatal and non-fatal
19 shootings but excluding suicides and suicide attempts.

20 “High-crime violence reduction grant” or “grant”, grant awarded by EOPSS to a
21 qualifying municipality to fund a grant contract.

22 “Municipal population”, population of a municipality of the commonwealth as set forth
23 in the most recent United States Census Bureau publication.

24 “Strategic Anti-Violence Proposal” or “SAP”, proposal submitted by a vendor to be
25 reviewed by a qualifying municipality for purposes of awarding a grant contract.

26 “Qualifying municipality”, a municipally who meets 1 of the 5 criteria set forth in
27 subsection (c).

28 “Request for proposals” or “RFP”, request or announcement by a qualifying municipality
29 to solicit SAPs from vendors .

30 “Vendor”, a person offering strategic intervention services as described its SAP to reduce
31 violence within a qualifying municipality.

32 (b) The EOPSS shall establish a program to provide high-crime violence reduction
33 grants to municipalities for the purpose of training police to reduce violence in high-crime
34 municipalities in accordance with this section.

35 (c) Using FBI Uniform Crime Report data from the most recent complete year available,
36 a municipality may apply for a high-crime violence reduction grant if there were:

37 (i) five or more murders or non-negligent manslaughter killings in the municipality per
38 calendar year;

39 (ii) ten violent crimes or more per 100,000 residents in the municipality per calendar
40 year;

41 (iii) one thousand total violent crimes or more in the municipality per calendar year;

42 (iv) fifty or more firearm related arrests in the municipality per calendar year; or

43 (v) ten non-fatal shootings or more in the municipality per calendar year.

44 (d) A municipality that qualifies pursuant to subsection (c) may announce a request for
45 proposals from vendors.

46 Alternatively, a potential vendor may approach and offer its services to a qualifying
47 municipality that has not made a request for proposals; provided, however, that once the

48 potential vendor approaches the municipality, the municipality shall follow the open bidding
49 laws pursuant to chapter 30B.

50 (e)To be considered for a grant contract with the qualifying municipality, a vendor shall
51 include in its SAP, at a minimum, a detailed description of the following:

52 (i) A diagnosis of the specific violence problem within the municipality as it applies to
53 violent crimes including, firearm violence, firearm related arrests and robberies;

54 (ii) A review of existing evidence-based literature discussing successful intervention
55 strategies;

56 (iii) At least 1 specific intervention strategy from existing evidence-based literature that
57 fits the needs of the qualifying municipality;

58 (iv)The means to decrease violence; provided, however, that the means shall be based on
59 a previously identified successful outcome published in a peer reviewed top tier academic
60 journal and shall include 1 of the following practices:

61 (1) Problem-orientated policing;

62 (2) Hot-spot policing tactics;

63 (3) Special training in the detection of carrying concealed weapons;

64 (4) Directed police patrolling;

65 (5) Proactive arrests of serious repeat offenders; or

66 (6) A combination of the aforementioned practices;

67 (v) The manner in which the strategic intervention and evidence-based approach will be
68 implemented, including, but not limited to:

69 (1) A description, justification and cost of the necessary physical materials, if any;

70 (2) A description of the police training;

71 (3) A description of the strategy and tactics the police shall use;

72 (4) A timeline for the strategy and tactics that shall be used; and

73 (5) A description of how every dollar of the grant contract with the qualifying
74 municipality shall be spent;

75 (vi) The manner in which outcome based performance metrics will be used; provided,
76 however, that the performance metrics shall:

(1) Exceed anecdotal evidence;

(2) Exceed correlational analysis;

(3)Exceed pre-test and post-test evaluations;

(4) Measure the potential for violent crime displacement;

(5) Include a description of how a return on investment, or ROI, will be completed; provided, however, that the ROI shall include all primary and secondary cost savings considerations and shall indicate how an opportunity cost will be conducted in the event that the intervention does not produce a successful outcome;

(6) Rule out third variables and other confounding variables;

(7) Ensure high internal validity; and

(8) Describe a scientifically rigorous outcome evaluation design using the experimental design or matched pair research design both of which shall be measured in a way worthy of peer review in a top tier academic research journal.

(vii) The manner in which an after-action review will be conducted to determine:

(1) What worked;

(2) What did not work;

(3) What was promising; and

(4) Ways to benefit from the knowledge of successes, failures, analysis of external validity, and potentially unresolved outcomes.

(viii) The qualifications of the vendors offering training to the police and conducting performance metrics, including:

(1) A description of relevant education and work experience;

(2) A description of past experience in the specific strategic intervention being offered, including professional references, peer reviewed academic journal publications on the specific intervention, and an affiliation with a college, university or public policy firm that has a primary specialty in criminal justice and public safety interventions;

(f) The municipality shall review the SAPs and select a vendor that:

(i) Is best able to offer an evidence-based solution to the specific violence problem afflicting the municipality;

106 (ii) Is best able to implement an evidence-based solution to the specific violence problem
107 afflicting the municipality;

108 (iii) Is best able to provide a detailed description of the performance metrics to be used;
109 or

110 (iv) Has the most relevant experience in directing evidence-based anti-violence reduction
111 interventions successfully used by police.

112 (g) The SAP selected by the municipality shall be forwarded to the EOPSS for its review.
113 Once the EOPSS determines that all requirements and criteria set forth in this section have been
114 met, it may authorize the release of the grant to the municipality to procure a grant contract with
115 the vendor that submitted the SAP.

116 (h) The amount of the grant awarded to the municipality shall be:

117 (i) $100,000 for a municipal population less than 100,000

118 (ii) $250,000 for a municipal population between 100,001 and 499,999

119 (iii) $500,000 for a municipal population of 500,000 or more.