

# **ADMINISTRATIVE MANUAL**

## **STOP Violence Against Women Program**



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## **PREFACE**

This manual provides procedures for the administration of the STOP Violence Against Women Formula Grant Program and is applicable to all grants approved by the Governor after July 1, 2017. When revisions and corrections are deemed necessary, appropriately changed pages will be issued.

Sample application, reporting and other forms and schedules are provided in this manual and are for demonstration and information purposes only. Actual forms may be obtained from the Division of Justice and Community Services.

The staff of the Division of Justice and Community Services will be pleased to discuss any questions which are not adequately covered in this manual and will be receptive to recommendations that might make the administration of grant funds easier and more efficient. For further information, clarification, materials or submission of ideas, please contact:

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# Chapter 1

## GENERAL INFORMATION AND APPLICATION PROCESS

### A. Background

The Violence Against Women Act (VAWA), enacted by Congress, is set out in Title IV of the Violent Crime Control and Law Enforcement Act of 1994 and amended in 2000, 2005, and 2013. The Act provides financial assistance to States for developing and strengthening effective law enforcement and prosecution strategies and victim services in cases involving domestic violence, sexual assault, stalking and dating violence crimes. The goal of STOP (Services\*Training\*Officers\*Prosecutors) Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and non-governmental agencies to restructure and strengthen the Criminal Justice System's response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to address this complex problem.

The Violence Against Women Act was reauthorized in 2000 (Violence Against Women Act of 2000), in 2005 (Violence Against women and Department of Justice Reauthorization Act of 2005) and again in 2013 (Violence Against Women Act of 2013). Each reauthorization modified program requirements and guidelines. A copy of the Violence Against Women Act of 1994, 2000, 2005, and 2013 can be found in **Appendix A**.

### B. Program Purpose Areas

The Violence Against Women Act enumerates the following statutory purposes for which funds may be used:

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence, including the appropriate use of nonimmigrant status under subparagraphs (U) and (T) of section 101(a) (15) of the Immigration and Nationality Act (8 U.S.C. 1101(a));



2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence, as well as the appropriate treatment of victims;
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
5. Developing, enlarging, or strengthening victim services and legal assistance programs, including sexual assault, domestic violence, stalking, and dating violence programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, dating violence, stalking, and domestic violence;
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
7. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence;
8. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;
9. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and



circumstances of older and disabled women who are victims of domestic violence, dating violence, stalking, or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals;

10. Providing assistance to victims of domestic violence and sexual assault in immigration matters;
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
12. Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities-
  - (A) developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
  - (B) notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
  - (C) referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
  - (D) taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.
13. Providing funding to law enforcement agencies, victim services providers, and state, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote—
  - (A) the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
  - (B) the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of



domestic violence by personnel within such agencies such as the model policy promulgated by the International Association of Chiefs of Police ("Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project" July 2003); and (C) the development of such protocols in collaboration with state, tribal, territorial and local victim services providers and domestic violence coalitions.

Note: Any law enforcement, state, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program shall, on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of two years, provide a report of the adopted protocol to the Department, including a summary of progress in implementing such protocol. As such, states and territories are responsible for ensuring that each sub-grantee receiving funds under this purpose area will receive the required annual training. States are also responsible for ensuring that sub-grantees submit their two-year report to the Department. States and territories must notify and provide OVW with a list of sub-grantee recipients awarded STOP funds under the Crystal Judson Domestic Violence Protocol Program.

14. Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.
15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.
16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.
17. Developing, enlarging or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.
18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.
19. Developing, enlarging, or strengthening programs and projects to provide services and responses to male and female victims of domestic violence,



dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code.

20. Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a state to be used for this purpose.

Examples of innovative approaches include those:

- ❖ Support and retain core services to victims; particularly for victims of sexual and domestic violence and support for rape crisis center and domestic violence shelters;
- ❖ Increase support for sexual assault response, including services, law enforcement and prosecution;
- ❖ Increase support for underserved populations, particularly communities of color, in a culturally appropriate manner, with a special emphasis on African-American, tribal and LGBT communities;
- ❖ Increase the use of promising or evidence-building practices, where available;
- ❖ Meaningfully increase access to STOP-funded programming for specific underserved populations (based on race, ethnicity, sexual orientation, gender identity, disability, age, etc.);
- ❖ Provide basic and advanced training to tribal law enforcement and tribal courts regarding responses to victims in tribal communities;
- ❖ Provide comprehensive training to victim services, law enforcement, prosecution, and court personnel on sexual assault, to support increased reporting, arrest and successful prosecution of perpetrators;
- ❖ Support training for tribes, states and territories on Full Faith and Credit enforcement of out-of-state protection orders;
- ❖ Implement evidence-based risk/danger assessments to identify and prioritize victims who are considered to be in relationships with a high risk of lethality



- ❖ Strengthen and revitalize coordinated community response and multidisciplinary teams, prioritizing those that meaningfully involve organizations and programs that focus on marginalized communities.

## **C. West Virginia's Plan**

It is the mission of the West Virginians Against Violence (WVAV) Committee and the West Virginia Division of Justice and Community Services (WVDJCS) to increase the awareness and understanding of domestic violence, sexual assault, dating violence and stalking crimes and its consequences, reduce the incidence of domestic violence, sexual assault, stalking and dating violence crimes and to create a safer environment for all victims, and provide a collaborative response to the needs of victims of domestic violence, sexual assault, stalking and dating violence crimes within West Virginia.

This mission is accomplished by:

1. Continue to improve the criminal and civil justice systems response to domestic violence, dating violence, sexual assault and stalking crimes.
2. Coordinate and structure cross training to maximize attendance of all professionals and paraprofessionals that impact victims of domestic violence, sexual assault, dating violence, and stalking crimes, to provide a better trauma-informed response to victims.
3. Develop and/or increase effective responses to the needs of victims of domestic violence, sexual assault, dating violence and stalking in marginalized communities and cultural and linguistic populations.
4. Increase public awareness of services available for domestic violence, sexual assault, dating violence, and stalking victims.
5. Increase collaboration and communication among systems, agencies and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.
6. Continue and expand if funds are available to provide direct services to victims of crime.

**\*West Virginia's STOP Violence Against Women Plan can be found in Appendix B.**



## **D. Activities that May Compromise Victim Safety**

Because of the overall purpose of the program is to enhance victim safety and offender accountability, grant funds may not be used to support activities that compromise victim safety and recovery. The following activities have been found to jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions:

- Procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived: age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, relationship to the perpetrator, or the age and/or gender of their children.
- Procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services. Consent to release information may not be a requirement for services;
- Offering perpetrators, the option of entering pre-trial diversion programs or placing batterers in anger management programs;
- Requiring mediation or counseling for couples as a systemic response to domestic violence or sexual assault, or in situations in which child sexual abuse is alleged;
- Requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- Relying on court-mandated batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behavior; or
- Supporting policies or engaging in practices that impose restrictive conditions to be met by the victim.
- Not practicing a “Victim Centered Approach” when working with victims and/or training victim service providers. A victim centered approach is defined as follows:
  - A systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner. A victim centered approach seeks to minimize re-traumatization associated with the criminal justice process by providing support to the victim, empowering the victim/survivor and



providing them the opportunity to play a role in seeing their offender brought to justice. In a victim centered approach, the victim's wishes, safety and wellbeing take priority.

- Failure to conduct safety planning with victims.
- Policies or practices that discourage prosecutors from accepting cases for victims who do not have physical evidence of domestic violence or sexual assault.

## **E. Confidentiality and Victim Safety**

Funded programs must ensure the safety of victims and their families by protecting the confidentiality and privacy of persons receiving services. Programs may not disclose any personally identifying information (name, address, other contact information, social security number, date of birth, racial/ethnic/religions identity, or any other combined information that would serve to identify an individual) without the informed, written, reasonably time-limited consent of the person (or guardian in the case of a minor or disabled). Consent release cannot be given to an abuser of the person.

In the event that release of information is compelled by statutory or court mandate, programs must make reasonable attempts to provide notice to victims affected by the disclosure of information and take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

## **F. Administration of Federal Funds**

The U.S. Department of Justice, Office of Justice Programs, Office on Violence Against Women awards funds appropriated by Congress to the Division of Justice and Community Services which has been designated by the Governor as the state agency responsible for the administration of the Violence Against Women Act Program in West Virginia.

## **G. Grant Applications**

Applications for federal funds by agencies are initiated by completing a STOP Violence Against Women grant application for a project and submitting it to the Division of Justice and Community Services. Grant funding is awarded on a competitive basis each year. **There is no guarantee of funding beyond the one-year award period.**

The standard grant application form must be used for all applicants. Copies of this form are available from Division of Justice and Community Services. Contact with staff should be maintained during the preparation of the



grant application. A copy of the standard grant application form is found in **Appendix C**. The Division of Justice and Community Services and the West Virginians Against Violence Committee reserve the right to approve and enforce the grant solicitation requirements, as based on specific State needs assessment.

## **H. Eligible Applicants**

In order to be eligible for STOP VAWA funds, programs must meet the following requirements:

1. A team must be formed that includes at a minimum: a law enforcement officer, a prosecutor and a private non-profit, non-governmental victim service provider in order to improve the criminal justice system's response to domestic violence, sexual assault, stalking and dating violence. The team may include other agencies in the team area that wish to participate. **Only one Team per county will be funded.** All teams are encouraged to include a member from a faith-based and a cultural/linguistic specific group/organization. All STOP Teams are required to have at least one goal/objective for the whole core team; whether all core members are funded or not.
2. Programs must be operated by a public agency or a private non-profit organization which is a 501(c) (3) and is in good standing with Auditor's and Secretary of State's Office. However, a private non-profit organization that only provides occasional counseling or services to victims or whose sole purpose is to provide advocacy to the legislature for victims of crime would not qualify for eligibility.
3. The STOP VAWA requires that each state must distribute their grant funds each year in the following manner: At least 30 percent to victim services programs (*of which 10 percent must be distributed to linguistically and culturally specific community-based organizations*), 25 percent must be allocated to law enforcement, 25 percent to prosecution, 5 percent to state or local courts, with the remaining 15 percent allocated as discretionary. This is a statutory requirement. These allocations may not be redistributed or transferred to another funding allocation area (apart from the discretionary funds, which can be used to supplement other allocation areas) States must set aside 20% for projects which meaningfully address sexual assault across at least two of the allocations (victim services, law enforcement, prosecution and courts).

Victim service provider is defined as a nonprofit, nongovernmental organization, tribal organization, or rape crisis center, including a State and tribal coalition, domestic violence shelter, faith-based organization,



and other organization that assists or advocates for victims of domestic violence, dating violence, sexual assault, or stalking. Non-profit, non-governmental organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking are eligible to apply for the portion designated for nonprofit, nongovernmental victim serves. Any entity that is eligible for a STOP Formula sub-grant based on its status as a nonprofit organization must be an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code. See 42 U.S.C. § 13925(b) (16) (B).

Community-based organizations (as defined by VAWA) that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward racial and ethnic minority communities and who have a documented history of effective work with those communities are eligible to apply for the portion designated for culturally specific organizations. Additionally, to be eligible for this funding category you must meet the following criteria:

- (A) Focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
- (B) Has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
- (C) Has a primary focus on racial and/or ethnic minority populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; **or**
- (D) Obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration and training;  
**and:**
- (E) is primarily directed toward racial and ethnic minority groups; **and**
- (F) is providing services tailored to the unique needs of that population.

Governmental victim services programs contracting with non-profit organizations are eligible to apply for the portion designated for nonprofit, nongovernmental victim services.

Rape crisis center that, among other things, includes governmental entities in States (but not territories) as long as they are not part of the



criminal justice system and offer a level of confidentiality comparable to that offered by a nonprofit entity that provides similar services.

Governmental victim services programs attached to a law enforcement agency or a prosecutor's office may apply for the portions of funds designated for law enforcement or prosecution.

Governmental victim services programs that are not connected to a law enforcement agency or a prosecutor's office and are not considered nonprofit organizations may apply for funding through the portion designated as discretionary. Apart from a victim services program attached to a probation office, which would be eligible to apply for the portion of funds designated for state or local courts or those designated as discretionary.

4. Programs shall promote a **victim-centered approach** within the community or region served, coordinated public and private efforts to aid crime victims. Because various kinds of services needed by victims of crime are usually provided by a variety of agencies, it is important that these services be coordinated to ensure continuity of support to the victim and to avoid duplicating services.
5. Programs shall assist victims in seeking available crime victim compensation benefits through the West Virginia Court of Claims. Programs will identify and notify potential recipients of the compensation program and assist them with the compensation claim forms.
6. Programs must be able to identify and describe the unserved, underserved, and in-adequately served population(s) within their locality and how the population(s) will benefit from the STOP VAWA related services. These populations must be expanded beyond domestic violence, sexual assault, stalking and dating violence victims. For example, an underserved population could be LGBTQQ, or People of Color victims, disabled victims of all the above referenced crimes.
7. Programs must be able to describe how they plan to address the needs, including access to programs, services and information, of populations of individuals whose primary language is not English and victims who have limited English proficiency.
8. Programs must be able to describe in detail a plan of sustainability of the program in the event that STOP VAWA funds were to be relinquished. The plan should illustrate the willingness and capacity to continue the program after STOP VAWA funds are no longer available.



Programs do not discuss the fact that without STOP VAWA funds the program would not exist.

9. State Agencies/Organizations are also eligible for STOP VAWA funds as long as the proposal meets at least one of the Federal and State Program Purpose Areas. Statewide initiatives do not require a Team application; however, an advisory committee made up of at least a non-profit, non-governmental victim services, prosecution and law enforcement is required. **State Sub-grantee:** This refers to an eligible State Agency or eligible State Coalitions.

Additionally, State law enforcement, prosecution, and court applicants are required to **meaningfully** consult with State and/or local victim service programs during the course of developing their applications in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence. This is a requirement of the grant application.

10. All sub-grantees are required to develop and implement client surveys for evaluation (of the services provided) purposes. All survey/evaluations must ensure client confidentiality. All STOP Teams will be required to evaluate the effectiveness of the STOP Team. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented.
11. Faith-based Organizations: pursuant to the Department of Justice's regulation entitled "Partnerships with Faith-based and Other Neighborhood Organizations," 28 C.F.R. pt. 38, which implements Executive Orders 13279 and 13559, organizations receiving VAWA funds must ensure that services are offered to all victims without regard to religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice. Grantees and or sub-grantees cannot use VAWA funding to engage in explicitly religious activity such as prayer, religious instruction, or proselytization, and they must ensure that all religious activities are kept separate in time or location from VAWA-funded activities and that a client's participation in such activities is purely voluntary. Faith-based sub-grantees must also provide clients or prospective clients with written notice of certain protections and must take reasonable efforts to refer a client or prospective client to an alternative provider if a client objects to the religious character of the sub-grantee.
12. Grantee, sub-grantee and contractors will comply with any applicable nondiscrimination provisions, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victim of



Crime Act (42 U.S.C. § 10604 €); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. §5672 (b)); the Violence Against Women Act (42 U. S. C. § 13925 (b) (13)); the Civil Rights Act of 1964 (42 U. S. C. §2000d)' the Indian Civil Rights Act (25 U.S.C. §§1301-1303)' the Rehabilitation Act of 1973 (29 U. S. C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U. S. C. §§1681, 1683,1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07). It will also comply with Executive Order 13279, Equal Protection of the Laws for Faith-based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships with Faith-based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38. These laws collectively prohibit discrimination on the basis of race, color, religion, national origin, age, sex, disability, sexual orientation, and gender identity. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after due process hearing on the grounds of race, color, religion, national origin, sex, or disability, sexual orientation, and gender identity against a recipient of funds, the recipient will forward a copy of the finding to:

Office for Civil Rights  
Office of Justice Programs  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

Grantees should post information for victims and staff which state where they can contact the Office for Civil Rights:

Office for Civil Rights  
P.O. Box 1789  
Charleston, WV 25326  
(304) 558-0546

They should also have posted the following information:

WV Human Rights Commission  
1321 Plaza, East, Room 108A  
Charleston, WV 25301  
(304) 558-2616  
1- 888-676-5546

## **I. STOP Team Guidelines**

The West Virginians Against Violence Committee has implemented minimum guidelines for all VAWA funded STOP Teams.



Teams must adhere to the following requirements:

- a. Membership of the STOP Team **must** include a non-governmental non-profit victim service provider, law enforcement officer, and prosecuting attorney, regardless of whether those positions are STOP funded. These three entities are known as the “core” members. They are required to have at a minimum one goal/objective for the core team in their application. However, be reminded this is team application and a team effort.

In the event that your county has both a WV Family Protection Services Board (WVFPSB) licensed domestic violence program and a WV Foundation for Rape Information & Services (WVFRIS) member sexual assault program, then a representative from each program must be a part of your Team and will be considered core members.

In the event that **more** than one law enforcement agency receives funding, then a representative from **each** of those departments must be represented on the Team and is also considered a core member. The same requirement is true for victim service agencies or any other agency/organization receiving STOP funds.

If a STOP Project includes a cultural specific organization component, then a representative from the funded organization must also be included and is also designated as a core member.

- b. The Team must meet on **at least** a quarterly basis (within the grant period which begins July 1<sup>st</sup> and ends June 30<sup>th</sup>) and copies of the agenda, sign-in sheet, and meeting minutes must be documented and submitted to DJCS with appropriate monthly progress reports. All STOP Teams will be required to have a meeting to discuss the requirements, budgets, and special, standard and supplemental requirements of the grant (this should be completed no later than August). Also, required is to meet to discuss and develop the next year's grant application. It may be required to have other meetings during the grant period
- c. **All** core members must have **active** participation and **regular attendance** at Team meetings. A high level of **commitment** from all core members to work collaboratively must be demonstrated. If a core member cannot attend they may have another person attend in their place. For example, if a Prosecutor cannot attend another prosecutor or assistant prosecutor should attend in their place. (Prosecutor's key personnel, investigators, or advocates cannot attend in the prosecutor's place).



- d. Maintain a Team protocol for Law Enforcement, Prosecution and Victim Services response to domestic violence, sexual assault, stalking and dating violence crimes. Regular reviews and necessary revisions should be an on-going process. *Note: All Protocols must include each core member's response to the new Firearms Law of Firearm removal and storage; and a response to law enforcement officers who are perpetrators of domestic violence, sexual assault, stalking and dating violence crimes.*
- e. The application (which includes Goals and Objectives), Team protocol, and required reports must have input from **all** core members. These three topics should be recurring topics at STOP Team meetings. The application will require documentation showing all members participated in the development of the application. The goal of STOP Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and non-governmental agencies to restructure and strengthen the Criminal Justice system response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to address this complex problem.

All components of the application apply to the entire Team, whether all entities are STOP funded or not.

All required paperwork must be completed in a timely and thorough manner.

- f. Application, protocol, membership, and meeting topics must address all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking) and should ensure victim confidentiality at all times.
- g. A Team evaluation or feedback process must be implemented and maintained throughout the grant period to assist in measuring the Team's effectiveness and to identify need and gaps in service. This should also be a continuing topic at Team meetings.
- h. Team must keep current on all local, state, and federal laws and policies related to violence against women crimes. (For example, the changes in the 2007 legislative session regarding forensic medical exams and polygraph prohibition for sexual assault victims and the changes in the 2008 legislative session regarding stalking.)



- i. Must develop and implement policies/practices regarding victim confidentiality and information sharing that meets the VAWA 2005 and 2013 requirements.
- j. All funded staff are required to attend eight hours of training within the grant period on pre-approved VAWA related training. If Law Enforcement overtime is funded for a law enforcement agency, then at least one officer from that agency must attend eight hours of training.
- k. Ensure all agencies are practicing a "Victim Centered Approach".

Teams are strongly encouraged to comply with the following recommendations:

- a. Other community and criminal justice organizations are encouraged to be part of the STOP Team, such as local community corrections programs, probation office, faith-based programs, local hospital/medical personnel, mental health programs, school Prevention Resource Officers (PRO), legal aid programs, human services agency/organization, and the humane society/officer.

Membership on the STOP Team should broadly be representative of the community served (geographic, ethnic, race, gender).

- b. In circumstances where there is a victim advocate in a law enforcement agency or a prosecutor's office. Then both the advocate and a law enforcement officer or the advocate and a prosecuting attorney should be a member of the STOP Team. **However, as indicated above, an officer and a prosecutor are required.**
- c. Include community agencies and individuals (both those that are part of the STOP Team and those who are not) in the evaluation of the Team and Team process. Examples: Judges, victims served, law enforcement officers, probation officers, victim advocates, prosecutors, health professionals, etc.
- d. Conduct training/education events throughout the year. This can be done with 20-30-minute workshop/sessions at each STOP Team meeting.
- e. Focus training, education, awareness, and services on community collaboration and include more cross-training events.



- f. Evolve new leadership on the STOP Team. Leadership/officers should be re-evaluated and reconsidered each year.
- g. Constantly review and evaluate membership and add/change members as needed. Team members should be willing and active participants.

## **J. Application Process**

The application process consists of the following steps:

- 1. If it is an open solicitation Request for Proposals will be sent out and those agencies wanting to apply should submit a request for proposal. If it is a closed solicitation, only currently funded sub-grantees are allowed to apply.
- 2. Applications will be promptly acknowledged upon receipt and reviewed for completeness. Applicants will be contacted if omissions appear and will have 10 working days to make corrections.
- 3. Staff will assess the merit and overall need of the project as well as evaluate how the specific project will satisfy state goals and objectives. Comments and recommendations will be attached and the application will be forwarded to the West Virginians Against Violence Committee for consideration after staff has evaluated the merits of the application which might include, but will not necessarily be limited to:
  - a. Compliance of the proposed project application with the priority programs described in the state plan.
  - b. The eventual assumption of costs by the applicant agency.
  - c. Probability that the grant will achieve its objective(s).
  - d. Adequate fiscal responsibility.
  - e. Certification that federal funds will not be used to supplant or replace state or local funds.
  - f. Coordination of efforts with other local jurisdictions and federal grant programs.
  - g. Need for the project.



- h. Geographic area(s) to be served.
  - i. Ability to identify and address the needs of underserved populations.
  - ii. For current funded sub-grantees; they must be in compliance with Standard, Special and Supplemental Conditions of the grant. High Risk sub-grantees may not be considered for funding or may receive a deduction in funding or other sanctions.
3. Members of the applying team who are familiar with the proposed project are requested to either attend the West Virginians Against Violence Committee Meeting to make a brief presentation and/or be available by phone to answer any questions regarding the proposal.
4. Based primarily upon the West Virginians Against Violence Committee, staff will make one of the following recommendations to the Governor:
- a. Approve the application.
  - b. Approve with conditions, budget adjustments, or amendments to the application.
  - c. Return for revision. The required revision will be appended to the application.
  - d. Denial.

Applicants should note that authority to make grant awards is vested only by the Governor. Staff and Committee recommendations are advisory only and should not be considered as indicative of the final action by the Governor.

## **K. Award**

Each approved project not operational within 60 days of the approved starting date of the grant period must report by letter to DJCS the steps taken to initiate the project, the reasons for delay, and the expected starting date.

If a project is not operational within 90 days of the original starting date of the grant period, the grantee must submit a second statement to DJCS explaining the implementation delay. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas or under extenuating circumstances, extend the project period.



**L. Grant Cycle**

The project period for VAWA projects is July 1 - June 30.



## Chapter 2

### MATCHING FUNDS REQUIREMENTS

#### A. General

Portions of funded projects must receive financial support from sources other than STOP VAWA funding (or any other Federal funding source). This is known as the matching contribution that is the statutory ratio that must be applied to the grantee as its portion of a grant. The purpose of matching funds is to augment the amount of resources available to the project from grant funds and to foster the dedication of state, local and community resources to the purposes of the project. Matching funds must be allowable and for the purpose of the funded project. The matching requirements are as follows:

- a. Private Non-Profit Agencies: A contribution of non-Federal dollars is **not required** for these agencies for the Victim Services Category funds only.
- b. Government Agencies: 27% Cash or In-Kind Match required. Government agencies, as a part of the team, must provide a minimum of 27% match from other non-federal sources for their portion of the application. This match may be cash or in-kind. Matching funds are required on a project-by-project basis.

Cash Match Represents the grantee's cash outlay; money contributed to the grantee by other public agencies and institutions and private organizations and individuals. Funds received from other federal grants cannot be considered as grantee's cash match contribution.

Examples: United Way funds, state grants, private foundations, etc.

In-Kind Match Represents the value of non-cash resources (services, personnel, space, equipment, or other non-cash items) which belong to the subgrantee and are committed to the VAWA-funded project; which may consist of the value of goods and services specifically identifiable to the grant program; and charges or value of real property. For the purpose of this program, in-kind match may include donations of expendable equipment, office supplies, workshop or classroom material, work space, or the monetary value of time contributed by professionals and technical



personnel and other skilled and unskilled labor, if the services they provide are an integral and necessary part of the funded project.

Examples: Volunteer time used in aiding victims of crime; donations of food, clothing, supplies, or furniture; donation of office space used for counseling victims, etc.

Please Note: if volunteer hours (which are one of the best non-cash resources) are used as match, a dollar value (a wage rate) may be assigned for the volunteer's time depending upon the type of service provided to the victim; for instance, a volunteer who transports victims may be assigned a value of \$5.00 per hour for providing this service. Any overtime for salaried staff cannot be used as match.

## **B. Timing of Matching Share**

The grantee matching share must be expended in the same manner and proportion as budgeted in the Grant Application. The grantee share must also be expended in the same time concurrence (grant period) as the federal funds are expended.

## **C. Records of the Grantee Share**

Since the requirement for grantee matching federal funds is mandatory, accurate records must be maintained which show the amount and timing of these contributions. These records are subject to audit in the same manner and to the same extent as books and records dealing with the receipt and expenditure of federal funds.

## **D. Methods for Calculating Match**

The method for calculating the appropriate match for individual VAWA grants is as follows:

### **EXAMPLE #1**

**Amount of Law Enforcement Budget Page: \$18,750**

$$\text{\$18,750} \div .73 = 25,685$$

<b>Total Project:</b>	<b>\$25,685</b>
<b>VAWA Funds</b>	<b>-18,750</b>



**Matching Funds    \$ 6,935**

**EXAMPLE #2**

<b>Team Participant</b>	<b>Federal Funds</b>	<b>Match Required</b>	<b>Total Cost</b>
Prosecutor's Office	22,500	8,322	30,822
Police Department	18,750	6,935	25,685
Court Program	50,000	18,493	68,493
Total Funds	\$91,250	\$33,750	\$125,000

The total budget is the budget only for the VAWA grant. The match reflected should be only the amount required; overmatching is not required.

**E. Reporting Match**

Documentation of matching contributions from each funded agency should be submitted on a monthly basis, but must be submitted at least on a quarterly basis. Failure to do so will result in a delay of payment of the monthly request for reimbursement.

**Allowable Match (be advised if any of these items are not included in approved budget – they will require a grant adjustment and approval from your DJCS specialist)**

**Cash Match**

**Personnel/Contractual:**

- Salaries/benefits: (not federally funded and is for the purpose of the VAWA grant program)
  - ❖ Documentation required: timesheets; paycheck stubs; back-up documentation for insurance and other required documentation.



- Supervision: of advocates, which is directly related to serving victims (this is not a full-time position and should be pro-rated and should not exceed 30% of their time)
  - ❖ Documentation required: a memo stating who the person is and that they certify their time is spent supervising for the project; timesheets, paycheck stubs; back-up documentation for insurance and other required documentation.
- Costs incurred to advertise for personnel for the VAWA funded project.
  - ❖ Documentation required: invoice, proof of payment, copy of advertisement.

### **Travel/Training:**

- Direct Service Mileage: includes transporting victim(s) to court, medical appointments, and counseling which is a direct result of the crime. This may also include the advocate attending the court, MDIT meeting with the victim. **This cannot be used to attend STOP Team Meetings, SART Meetings or other community meetings.**
  - ❖ Documentation required: Travel form which has the same information required on DJCS travel form, purpose for travel, two signatures, and proof of payment.  
*Note: VAWA- Law enforcement may use travel costs to investigate VAWA crimes – they must provide documentation such as a travel log which includes the date and mileage, and charge at the cruiser rate which is 20 cents/mile. Also, be aware if an agency is using an agency vehicle the rate is also 20 cents/mile.*
- Travel/Training: Skills training for staff which may include travel (at the state per diem rates and state regulations) and training costs, such as registration fees. BE AWARE: **ALL** trainings must be **pre-approved by DJCS** or they will not be reimbursed or used as match.
  - ❖ Documentation required: Travel form which has the same information required on DJCS travel form **and two signatures**; proof of payment; registration fees will only be reimbursed if DJCS is provided proof of attendance, such as certificates or sign-in sheets and proof of payment.
- Training materials: books, manuals, etc. (no trinkets, bags, food, etc. can be used for match)
  - ❖ Documentation required: invoice and proof of payment

### **Space:**



- Telephone/Hotline/Internet: This is pro-rated and must be for the VAWA funded person (s).
  - ❖ Documentation required: invoice, proof of payment and the amount charged to the grant.
- Office space: pro-rated and must be only for the VAWA funded person(s).
  - ❖ Documentation required: lease agreement or invoice which states the square foot of the space and rate per square foot, proof of payment and the amount charged to the grant.

**Other:**

- Supplies: may include paper, ink, envelopes, postage, other office supplies which are related to serving victims (not calendars)
  - ❖ Documentation required: invoice and proof of payment and the amount charged to the grant
- Leases for office equipment: this must be pro-rated for the grant
  - ❖ Documentation required: invoice; lease agreement and proof of payment; and the amount charged to the grant.
- Furniture purchases: which is used exclusively for the VAWA project
  - ❖ Documentation required: invoice and proof of payment

**In-Kind Match**

**Personnel/Contractual:**

- Volunteer hours – must be donating time to the VAWA project – this can include un-paid interns. This does not include Board members time or fund-raising events.
  - ❖ Documentation required: volunteer timesheet (if a timesheet is used it must have the volunteer's signature and supervisor's signature) which has the date volunteered, volunteer's name, hours volunteered, activity, and rate; this should have a certification which is signed by the project director, or the fiscal officer, or the volunteer coordinator. Volunteer rates are as follows:
    - 🌐 Professionals: up to \$100/hr. and cannot exceed \$100,00 for the grant period. A professional is defined as a doctor, licensed therapist/counselor, pro-bono attorney, etc.
    - 🌐 Paraprofessional: up to \$20/hr. A paraprofessional is defined as a person who is trained to assist professionals but do not have licensure and have received extensive



training and may not work regular work hours. Such as CASA Volunteers, counselors, hotline workers, etc.

✚ General: up to \$10/hr. All other volunteers who do not fit the professional or paraprofessional definition.

**Space:** this includes donated office space.

- ❖ Documentation required: a letter stating this organization provides office space at this amount per month for this agency. (This must be a fair market rate and if the advocate or person the office space is provided for is part-time it should be pro-rated for the amount of time allocated for the project). The letter should be on the agencies letterhead donating the space and should include the grant period (June 1- July 31<sup>st</sup>). Also, be aware if a position is not filled during a period of time this cannot be used as match. Also, it is required to include square footage and rate per square foot on the space match letter.

#### **Other**

- Donations: of expendable equipment, office supplies, workshop or classroom material, clothing, food, housing supplies; which is utilized by the project or victims served under the project. This does not include cash donations.
  - ❖ Documentation required: list of donated goods, certificate stating these items are used for the VAWA project, and a fair market value of each item. All donated goods must be used in the same time as they are requested for match; for example, if you are requesting this as match in October than they should have been distributed or used by October.
  - ❖ Office equipment: such as a copier, fax machine etc. Provided by the agency and used for VAWA project.
  - ❖ Documentation required: DJCS Office equipment usage log; this should be pro-rated for VAWA usage only and a fair market value applied.



## Chapter 3

# ALLOWABILITY OF COSTS

### A. General

The purpose of this chapter of the manual is to set forth the cost allowability rules and principles. These rules and principles for all determining allowable costs\* apply to all grants awarded. They are intended to provide a basis for a uniform approach to the problem of determining costs under projects supported with federal funds. Cost Principles for State and Local Governments, Cost Principles for Non-profit Organizations, Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-profit Organizations, Audit Requirements for State and Local Governments, OJP/OVW Financial Guide, and Audit Requirements for Non-profit Organizations (Uniform Guidelines) are found in **Appendix D**.

### B. Basic Principles

The basic guide in determining allowability of costs will be the extent to which these costs contribute to the purpose and execution of federal assisted programs. It will be assumed that:

1. Applicant agencies will each bear their appropriate share of allocated costs as allowable under federal, state and local law or regulation.
  2. DJCS and its grantees have the primary responsibility for employing whatever form of organization and management techniques will be necessary to assure proper and efficient fiscal administration and cost allocation, including accounting, budgeting, reporting, auditing and other review controls.
  3. Costs pertinent to carrying out unrelated function (i.e., unrelated to programs receiving grant support) are not allowable and there can be no recognition of "profit" or increment above true cost in executing grants.
- In general, project costs are "all necessary charges made by a grantee to accomplish the objectives of a project during the grant period."



## C. General Guidelines

Violence Against Women funds shall be used only to provide services to victims of domestic violence, sexual assault, stalking and dating violence crimes and must fit under one or more of the VAWA Purpose Areas. "Services to victims of crime" means those activities that directly benefit individual crime victims, including the required coordination of such activities, i.e., coordination of volunteers and/or coordination of public and private efforts to aid crime victims. Activities unrelated or only tangentially related to the provision of direct services to victims are not eligible for support. All sub-grantees are bound by their approved budget and changes to that budget requires a request from the sub-grantee to DJCS and approval from DJCS **prior** to reimbursement.

Services to victims of violent crimes against women include, but are not limited to, the following:

1. Direct-Service Staff -- A portion of a team VAWA grant is allocated for covering salaries or portions of salaries and benefits (benefits may include FICA, Workers Compensation, Unemployment, Insurance, and retirement) for staff members who are providing direct services to domestic violence, sexual assault, stalking and dating violence victims, such as therapists, counselors, and victim advocates. Administrative salaries such as for an executive director, fiscal officer, or clerical staff, can only be funded up to 10% of their time and must be documented to ensure that time is spent for VAWA activities.
2. Crisis Intervention Services that meet urgent emotional and physical needs of crime victims. Crisis intervention may include support, guidance and counseling provided by counselors or mental health professionals in the immediate aftermath of a crime, crisis or trauma. It may also include the operation of a 24-hour hotline that provides counseling or referral for crime victims.
3. Counseling and Therapy which assist victims in dealing with their victimization beyond the services provided in the immediate aftermath of a crime, crisis or trauma. Therapy refers to specialized psychological or psychiatric treatment for individuals, couples, and family members. Counseling refers to mental health services which involve providing support and guidance to victims. Immediate family members are also eligible to receive service if the crime victim will benefit from such services. Immediate family members: a) the parent and/or legal guardian of a victim under 18; b) siblings of a crime victim; c) the spouse of the victim; and d) the children of crime victims. There is a cap of \$10,000 per application for contractual services, such as counseling and therapy sessions.



4. Support Services may include reassurance and empathetic listening and guidance for resolving practical problems created by the victimization experience; providing employment counseling; acting on the crime victim's behalf via other social services and criminal justice agencies; and referral to other sources of assistance as needed.
5. Emergency Services -- Provide accompaniment/transportation to hospital and police station; provide temporary shelter for crime victims who cannot safely remain in their current lodgings; or provide crime victims with vouchers for meeting immediate needs related to transportation, food, medicine, shelter, and other necessities. This is to be used for **emergency situations** only and should not last more than one week. Documentation is required and must be to treat, provide services and for safety which relates to the victimization.
6. Group Treatment refers to supportive group activities, as well as psychotherapeutic group treatment. This may include peer support, social support, and drop-in groups. **Must meet state or federal requirements for licensing.**
7. Court-Related Services refers to services which assist victims of sexual assault, domestic violence, dating violence and stalking crimes in participating in criminal justice proceedings including advising victims of their legal rights, providing information regarding police investigation and explaining prosecution and court procedures; assisting victims with the preparation of victim impact statements; maintaining an on-call service and information system to apprise victims of appearances at court proceedings; advising victims of post adjudication notices of parole board and probation hearings and notice of offender release, etc.; assisting in filing temporary restraining orders, injunctions, and other protective orders, elder abuse petitions and child abuse petitions; accompanying a crime victim to court; providing child care services for crime victims while they participate in essential court proceedings; providing transportation to and from court; and providing emotional support to victims during a trial. This does not include the employment of private attorneys.
8. Community awareness activities that describe direct services available to women and how to obtain a program's assistance (such as pamphlets, brochures, and posters) are eligible to be funded out of VAWA funds. Brochures or pamphlets outlining general information, such as about rape or domestic violence, may



be funded out of VAWA funds if the agency's name, phone number, the federal grant language, and a description of services are also printed on the brochure or pamphlet. This requires pre-approval from DJCS **prior** to printing and billing.

The brochures, pamphlets, and posters **must** contain a statement reflecting that the printing costs of these brochures, etc., were covered by a U.S. Department of Justice Violence Against Women Act (VAWA) grant awarded by the Division of Justice and Community Services.

9. Rent -- A subgrantee may charge or prorate a reasonable cost of rent for a VAWA-funded project. The subgrantee shall certify in writing that the requested rental charge is consistent with the prevailing rate in the local area.
10. Training -- A subgrantee may include as a small portion of a grant the reasonable cost of staff development for those persons (salaried and volunteer staff) who provide direct services to victims of sexual assault, domestic violence, dating violence and stalking crimes. Please note all approval for any training must be approved by the Division of Justice and Community Services **prior** to attending any training by submitting to DJCS a written request for training approval, along with an agenda which explains the purpose of the training and workshops.

VAWA funds may be used for workshop/conference registration fees, mileage, meal reimbursement, and lodging expenses for In-State Training and Out-of-State Training in accordance with and State Travel Regulations. **The State Travel Regulations can be found in Appendix P.** VAWA funds may not be used for continuing education credits. This means that a staff member can attend a training (if approved by DJCS) at which CEU credits are offered. However, VAWA funds would not cover the costs of the CEU credits but would cover the registration costs and related travel, meals, and lodging expenses.

VAWA funds can also be used to host in-state violence against women related training events. All training events, agendas, contracts, and speakers must be **pre-approved** by DJCS 90 days **prior** to the scheduled training. Speaker fees may not exceed the \$450/day federal rate unless DJCS receives approval from OVW prior to the training. All sub-grantees using STOP VAWA funds for training events must follow all OVW requirements for conferences and trainings.



11. Travel -- A sub-grantee may include as a small portion of their grant necessary and reasonable travel expenses relating only to providing direct services to victims, such as transporting victims. Direct service staff and volunteers would be reimbursed in accordance with State Travel Regulations,

Travel expenses associated with administrative costs, such as making bank deposits, delivering and picking up mail, and attending staff meeting or other nonapproved meetings, or general speaking engagements would not be allowable expenses under the VAWA grant.

12. Audit costs -- All grant recipients which are required to have agency-wide audits and meet the threshold of the Uniform Guidelines Part 200 may use VAWA funds to reimburse for a portion of the audit expense (no more than 2 percent of the grant award). Required audits are to be performed on an organization-wide basis as opposed to a grant-by-grant basis, and must be performed annually pursuant to the OMB Uniform Guidelines Audits of State and Local Governments, and Audits of Institutions of Higher Education and Other Nonprofit Institutions. **If not required to conduct an audit a financial review must be completed; approved by the governing board and submitted to DJCS.**
13. Printing and Postage -- VAWA funds may be used to cover reasonable costs for printing and distributing brochures, pamphlets, posters, and similar announcements describing a program's victim services and how to obtain a program's assistance, and similar public notification efforts intended to recruit volunteers.
14. Advertising -- VAWA funds may be utilized to advertise a program's victim services, such as newspaper ads in the purpose of community awareness of services. It is also allowable to use VAWA funds to cover costs for advertising staff position openings, such as for VAWA staff. It would not be allowable to allocate an entire VAWA grant for advertising victim services.
15. Counseling/Educational Materials -- VAWA funds may be utilized to purchase materials necessary in counseling victims, such as books, tests, psychological testing materials, materials used to train volunteer staff, etc.
16. Crisis Hotlines, Telephone costs which are necessary and reasonable in providing crisis intervention services, such as emergency counseling or referral for crime victims, may be allowable from VAWA funds. For instance, if a VAWA project used



one of an agency's four telephone lines for sexual abuse services, it would be reasonable to charge a VAWA grant \$50 a month out of a \$200 a month telephone bill.

17. Office Supplies -- Reasonable supply costs in operating the VAWA program, such as files for setting up case records, Xerox paper for copying brochures or general information relating to direct services to victims, letterhead, envelopes, and postage for mailing direct service information to victims are allowable. A portion of general office equipment that is necessary and essential to the delivery of direct service may also be allowable. The total office supplies/equipment for a program could not be charged to the grant. *Please be aware the West Virginians Against Violence Committee has set the following guidelines for computer purchases: \$1,000 cap per computer, limited to only one computer per project (unless more than one can be purchased for the \$1,000), and computers can be requested to be purchased every three years. Supplies such as ink pens, etc. which have the extra cost of including the agency name and other information will not be reimbursed.*  
These costs for basic office supplies must be pro-rated; for example, if a funded staff is at 50% of their time you can only charge up to 50% of costs for supplies. Trinkets, such as pens/pencils with agency name, ribbons, stickers, etc. are not allowed.
18. Law Enforcement Officers -- The cost of salary, benefits and/or overtime of a police officer who is dedicated to a domestic violence unit or sexual assault investigative unit. There is a cap of \$25/hour (or \$26,000) on VAWA funds to be awarded for the salary of dedicated law enforcement officers under the grant program (this does not necessarily include fringe benefits). It is not allowable to supplant state funds with federal funds and may require backfilling of a position.
19. Prosecutors -- The cost of salary and benefits for an assistant prosecutor who would be dedicated to the prosecution of domestic violence and/or sexual assault cases. Prosecution support services, such as overseeing or participating in statewide or multijurisdictional domestic violence task forces, conducting training for local prosecutors or enforcing victim compensation and domestic violence related restraining orders shall be considered "direct responsibility" for purposes of this program. There is a cap of \$25/hour (or \$26,000) on VAWA funds to be awarded for the salary of dedicated prosecutors under the grant program (this does not necessarily include fringe benefits).



20. Assessment -- Project that would assess the effectiveness of the project in order to improve the services or responses to victims of domestic violence, sexual assault, stalking and dating violence crimes.
21. Data collection -- The development and improvement of data collection and communications systems linking police, prosecutors, and courts or for purposes of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions.

NOTE: Nothing in the VAWA 2005 and 2013 shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under the Act; however, the Act does not require the funding of male-only programs with VAWA funds.

## **D. Ineligible Activities or Services**

The following categorical guide can be used as an aid in determining unallowable costs:

1. Projects that are unrelated, or only tangentially related, to the provision of direct services to victims are not eligible for VAWA funding. Agencies or organizations whose function is administrative or legislative oversight, or groups defined as coalitions where direct service is not a part of the organization's function, are also not eligible to receive VAWA funding, except for the role of overseeing statewide direct services and/or statewide training and/or information sharing initiatives that directly relate to and benefit Violence Against Women response and services.
2. Medicaid-reimbursable clients cannot also be provided services by VAWA-funded direct service staff because this is considered double billing. An agency can be billing Medicaid for victim services but they must ensure that their VAWA-funded staff are providing direct services to only those victims who are not eligible for Medicaid reimbursement.
3. Payment of costs for a forensic medical examination of a crime victim. The West Virginia Forensic Medical Examination Fund through the WV Prosecuting Attorneys Institute was established in 1996 and should be used for these costs. See Chapter 10 for details.



4. Lobbying, Legislative and Administrative Advocacy -- Lobbying for particular victim legislation or administrative reform is an ineligible activity. STOP VAWA funds cannot be **used**, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express prior written approval of OVW, in order to avoid violation of 18 USC § 1913. The recipient may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 42 USC 13925(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.
5. Fundraising is an unallowable expense.
6. The purchase of liability insurance policies.
7. The repair of buildings and improvements to shelter.
8. Witness Management or Notification Programs -- Victim/Witness programs which provide both victim services and witness notification services can receive VAWA funding support only for that portion of the program that provides direct services to crime victims.
9. The payment of fees for professional services rendered by lawyers and doctors are not eligible for VAWA funding. Victims treated for crime-related injuries are encouraged to seek reimbursement for medical services from the Crime Victims Compensation Program. This provision, however, does not prohibit direct service programs from hiring staff, salaried medical/health professionals to provide services on site to clients. This differs significantly from a case by case fee-for-service type of arrangement.
10. Grant funds will not be used to support the development or presentation of a domestic violence, sexual assault, dating violence and/or stalking curriculum for primary or secondary schools. The grantee further agrees that grant funds will not be used to teach primary or secondary school students from an already existing curriculum.



11. The purchase of real estate.
12. The purchase or rental of cars, van, or other vehicles.
13. Bad debts.
14. Contingencies.
15. Contributions or cash donations.
16. Entertainment.
17. Fines and penalties.
18. Interest and other financial costs.
19. Prior obligations.
20. Underrecovery of costs under grant agreements.
21. Legislative expenses.
22. Legal or defense services for perpetrators of violence against women may not be supported with grant funds.
23. Law Enforcement overtime hours to provide security at Monitored Visitation and Exchange Centers.
24. Non-Licensed Residential Services. Residential services (services provided in a shelter) through a non-licensed domestic violence program are not eligible for VAWA funding.
25. Activities that compromise victim safety
26. Dedicated VAWA funds for perpetrator intervention/prevention programs (with the exception of funding law enforcement officer overtime to facilitate classes or including the facilitation of such classes in the job description of a VAWA dedicated law enforcement officer).
27. Political Activity
28. Grant funds will not be used to support the purchase of law enforcement equipment, including uniforms, safety vests, shields, weapons, bullets, and armory or to support chemical dependency



or alcohol abuse programs that are not an integral part of a court-mandated batterer intervention program.

#### **E. Costs Requiring Prior Approval**

1. Out of State travel
2. Training
3. Agendas and Speakers
4. Consultant fees
5. Contracts
6. Brochures
7. Anything not specific in the approved grant budget



## Chapter 4

### GRANTEE REPORTING

#### A. General

Grantees are required to constantly monitor performance under grant-supported activities to assure that time schedules are being met, projected work units by time periods are being accomplished, required performance measures are collected, and other performance goals are being achieved.

#### B. Types of Reports

Grantees are required to prepare and submit the following types of reports. **(Appendix E) All funded projects which become 60 days delinquent in the submission of reporting requirements will forfeit one month of reimbursable expenses for the entire project. Every additional 30 days past the initial 60-day delinquency period, shall result in an additional forfeiture of a month's reimbursable expenses. **Monthly Reports are due to DJCS by the 20<sup>th</sup> of every month. All forms should be mailed to DJCS as one report and not e-mailed or faxed unless directed by the Administrator of the grant.****

##### 1. Request for Reimbursement

A copy of this form is to be submitted monthly with the Project Financial Report for the purpose of DJCS issuing a reimbursement check. The total requested should agree with amounts listed on the Project Financial Report form. This form must contain the **original signature of either the Authorized Official or the Fiscal Officer of the approved grant.** This form should not be altered in any way.

##### 2. Project Financial Report

This report must be prepared and submitted on a monthly basis and is due at the DJCS office no later than 20 days following the close of the reporting month. Attach copies of invoices, as well as, proof of payment, to verify expenditures. **All sub-grantees are required to use the DJCS timesheet only.** Matching



contributions should also be submitted with back up documentation and should be recorded on the Project Financial Report forms. All sub-grantees are required to submit a Budget Summary Project Financial Report and if applicable Victim Services, Cultural Specific, Law Enforcement, Prosecution, Court, and Discretionary Budget Summary reports.

3. **Financial Recap Page**

A copy of this form is to be completed and submitted monthly with the Project Financial Report Form and the Request for Reimbursement Form. This form supplies a specific breakdown of requested items and funds for **each** entity for **each** reporting period. Each agency requesting reimbursement for funds in a reporting period should complete this form that lists an itemization of funds for each reporting period.

4. **Progress Reports**

This report must be prepared and submitted on a monthly basis and is due no later than 20 days following the close of the reporting month. It is to include, but not limited to:

- a. Statistical data reflecting the number and types of victims served during the month. Statistical report forms are provided to each program. Each agency receiving funds should complete and submit these forms each month.
- b. A summary completed by each VAWA-funded staff position outlining activities during the month. These activities should be related to the approved goals and objectives of the grant and should report the status of each objective (for example if the objectives state they will provide services to 340 victims, the program should be reporting on how many victims during the reporting period have been served.
- c. Copies of minutes from the governing board, such as Board of Directors, Advisory Boards, STOP Team, etc. If the Team and/or Board do not meet during a month, then this should be indicated in the corresponding monthly progress report. **STOP Team Meeting minutes with an agenda and sign-in sheet are required.**
- d. A monthly summary of coordination efforts among team members. This may be reflected in the funded staff summaries and/or the Team meeting minutes.



- e. A copy of any training certificates showing the attendance at pre-approved required training for all funded staff and/or agency.

5. **Equipment Listing Form**

This form is required of all VAWA sub-grantees that purchase computer or equipment with VAWA funds or a portion of VAWA funds during a grant period. After the purchase of computer or equipment, this form should be submitted with the corresponding monthly project financial report in which the equipment was purchased.

6. **Annual Performance Report**

This form is required of all VAWA projects, and is due no later than January 15th of each year (unless a different date is specified by DJCS). The form and instructions will be mailed by DJCS.

7. **Other Periodic Reports**

Periodically, additional programmatic and/or fiscal information may be requested by DJCS; most often for the purpose of program evaluation and strategic planning. All VAWA funded projects will be required to provide such information upon request.



## Chapter 5

# ACCOUNTING BOOKS AND RECORDS

### A. General

Grantees must maintain accounting records in accordance with generally accepted accounting procedures which will insure that federal and grantee matching funds are accounted for adequately. The minimum requirements for such records are explained below.

### B. Minimum Requirements

In addition to complying with its regular accounting procedure, the grantee must keep special accounting records which will accomplish the following:

1. Account for the receipt of federal funds approved for each grant project.
2. Account for the expenditure of federal and grantee funds approved for each grant project by the broad budget categories set forth below:
  - a. **Personnel/Contractual:** Salaries, employee benefits, and contracts for hiring of consultants. Consultant services require advance DJCS pre-approval.
    - Fringe Benefits: All benefits paid by an employer to or on behalf of its employees. Such benefits include: vacation, sick leave, and other paid absences, employee health, life and disability insurance, Social Security taxes (FICA), unemployment compensation, worker's compensation, retirement/pensions.
  - b. **Travel/Training:** Lodging, transportation, registration fees, and subsistence expenses for project personnel. Training projects require advance DJCS approval. Expenses may not exceed ceiling established by West Virginia State Travel Regulations.
  - c. **Space:** Rent/Mortgage and telephone.



- d. **Other:** Computers, software, and other allowable expenses not otherwise classified.

## C. Documentation

Adequate documentation for all project costs must be maintained. Such documentation must be retained and available for audit purposes for the period of time specified in Chapter 7. Adequate documentation is defined as follows, for each major budget category.

1. **Personnel/Contractual:** Documentation includes the DJCS timesheet signed by each project employee and his/her supervisor. Additional documentation includes payroll records which indicate payroll period, payment rate, hours per day, and other related information, and paycheck stubs. Contractual services require documentation by way of the consultant agreement and statement from the consultant indicating time period, payment rate, hours per day, signature of consultant and approval of project director. Resumes and/or contract agreements must be submitted to DJCS prior to any request for reimbursements. All sub-grantees must be in compliance with all requirements under the Fair Labors and Standards Act.
2. **Travel:** Documentation includes detailed expense vouchers, signed by the employees and approved by the employees' supervisor. **(Appendix F)**
3. **Training:** Documentation includes detailed expense vouchers, receipts from the training organization, and brochures, etc. from training. Documentation when your organization provides training for other participants includes consultant agreement and copies of the actual receipts for other expenses. All speakers and training agendas must be pre-approved by DJCS prior to entering into contract agreements and submitting requests for reimbursements.
4. **Other:** Documentation for "other" includes purchase orders, audited vendor invoices approved by the project director, and copies of checks issued for payment.

## D. Technical Assistance

A determination of the adequacy of the grantee's accounting records can be made by the staff of DJCS. Technical assistance will be provided if necessary or requested.



## Chapter 6

# GENERAL FISCAL AND ADMINISTRATIVE REQUIREMENTS

### A. Budget Deviations

Deviations (increases or decreases) from the submitted cost estimates of each budget category are **not** allowable without **prior** approval from DJCS. In no event, however, may the grantee charge to the grant amounts in excess of the approved federal funding.

### B. Written Approval of Changes

Grantees must obtain **prior written** approval from DJCS for major project changes. **Only the Project Director or Fiscal Officer (with consent of the Project Director)** of the grant can request a grant adjustment or change. In addition, **grant adjustment requests will not be considered by DJCS after June 18 each year.** Grant changes requiring approval include:

1. Changes in substance and project activities, goals and objectives, design, or research plans set forth in the approved application,
2. Changes in the project director, the authorized official, the fiscal officer, or key professional personnel. All changes in VAWA-funded personnel require written notification and must include a copy of the resume of new staff.
3. Changes in the project budget (**Appendix G** - Sample Budget Adjustment), which include changes in match, and
4. Changes in the length of the project period.

### C. Obligation of Funds

Project funds (federal and grantee) may not be obligated prior to the effective date or subsequent to the closing or termination date of the project period. Obligations outstanding as of the closing or termination date shall be



liquidated within 30 days. Such obligations must be related to goods or services provided within the project period.

Unexpended grant funds will be deobligated after a grant has ended. If a grantee determines that there will be unexpended grant funds prior to the end of the grant period, those funds will be deobligated. That will allow those funds to be rewarded to another project.

## **D. Time Extensions**

If adequate justification is provided, DJCS does occasionally approve time extensions. A situation where an extension might be approved would be if the grant project started later than originally planned. An extension would allow sufficient time for the grantee to fully expend the grant funds. Grantees must request approval from DJCS in writing. If after reviewing the individual circumstances, an adjustment is justified, an adjustment notice will be forwarded to the grantee reflecting the approval of the time extension.

## **E. Travel Regulations and Rates**

Project travel expense charges are to be determined in accordance with the State of West Virginia travel regulations and rates, unless the grantee's travel regulations are more restrictive, then its regulations will govern. **Reimbursement is limited to actual expenses incurred.** A complete copy of the current State rates and regulations can be found in Appendix P of this Administrative Manual.

**Meal allowance:** Costs are only allowable for overnight stay travel. Please refer to the State of West Virginia Travel Regulations for percentages to use for single day travel.

**Motor Vehicle:** Reimbursement for the use of employee's personal car in connection with grant business will be on State Government rates. Such reimbursement rate shall apply between the employee's headquarters and any designated location of work as approved by the project director. There will be no reimbursement of expense for commuting purposes other than in cases where an employee has completed his/her work day and is called out to return to his/her headquarters.

**Duplicate Reimbursements:** Notwithstanding any provision of these rules and regulations to the contrary, no official or employee shall be permitted to receive reimbursement for any expenses incurred in instances in which such expenses have been paid or are to be paid by any person, firm, corporation, partnership, association or any other third party. No official or employee shall receive reimbursements for any



expense incurred in instances in which such expenses have been paid or are to be paid by DJCS as part of registration fee.

**Registration Fees:** Registration fees for conferences and/or seminars must be supported by receipts and attached to the attendee's expense report. In order to be reimbursed for registration fees, you must show proof you attended the conference, such as certificates or a receipt along with a copy of the check for the registration fee. Lodging and/or food that is included in the registration should be indicated on the expense report. Additional reimbursement will not be made for lodging or food that is included in registration fees.

## **F. Record Retention**

Records of the grantee and its contractors, including books of original entry, source documents supporting accounting transaction, the general ledger, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records must be retained for a period of at least three years after the end of the Federal Grant Period. The retention period starts from the date of the submission of the final expenditure report or, for grants which are renewed annually from the date of the submission of the annual expenditure report. The three-year retention period after the end of the Federal Grant Period is qualified as follows:

1. Records for nonexpendable property acquired with federal grant funds shall be retained for three years after its final disposition.
2. Records must be retained beyond the three-year period when an audit is in progress and/or the finding of a completed audit has not been resolved satisfactorily. If an audit is completed and the findings are resolved prior to the three-year period, records will be retained until the end of the three-year period. If the three-year period has passed and no audit has been initiated, the records will be retained in accordance with other federal, state, and local laws. If state and local law requires a longer period of record retention, access to the records will be allowed for purposes of an audit.
3. DJCS may request transfer of certain records to its custody when it determines that the records possess long-term retention value.

## **G. Project Income**

Project income is defined to be "gross income earned by grant supported activities." Regarding project income, the following general rules apply:



1. Royalties received from copyrights and patents during the grant period shall be retained by the grantee and, in accordance with the grant agreement, be either added to the funds already committed to the program or deducted from total project costs for the purpose of determining the net costs on which the state share of costs will be based. After termination or completion of the grant, the federal share of royalties in excess of \$200 received annually shall be returned to the grantor agency (through DJCS) in absence of other specific agreements between the grantor agency and the grantee. Three federal shares of royalties shall be computed on the same ratio basis as the federal share of the total project cost.
2. All other program income earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be:
  - a. Added to funds committed to the project by the grantor and grantee and be used to further eligible program objectives, or
  - b. Deducted from the total project costs for the purpose of determining the net costs on which the federal share of costs will be based.

## **H. Cash Depositories**

Recipients of federal funds shall deposit these funds in state treasury or in a bank with FDIC coverage and be collaterally secure. Although DJCS does not require physical segregation of the establishment of any eligibility requirement for cash depositories, it does recommend (consistent with the national goal of expanding the opportunities for minority business enterprises) the use of minority banks.

## **I. Lobbying**

All grants funded with U. S. Department of Justice funds, will contain in the grant contract a certification regarding lobbying. The certification will be signed by the authorized official of the grant indication that no grant funds will be used to lobby, or if lobbying is engaged in by anyone associated with the grant, it will be done with non-federal funds. A Disclosure of Lobbying Activities form must be completed and submitted to DJCS in all instances of grantee lobbying with non-federal funds.



## J. Political Activity

The federal Hatch Act (5 U.S.C. Chapter 15 – Political Activity of Certain State and Local Employees) restricts the political activity of individuals principally employed by State or local executive agencies who work in connection with programs financed in whole or part by federal loans or grants.

Prohibited activities include:

- A. Be a candidate for public office in a partisan election.
- B. Use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.
- C. Directly or indirectly coerce contributions from subordinates in support of a political party or candidate

## K. Federal Audit Requirements

Federal Office of Management and Budget (OMB) Uniform Guidelines sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. Subgrantees shall adhere to the audit requirements set forth in the OMB Uniform Guidelines.

As of December 26, 2014, the requirements set forth by **OMB Uniform Guidelines** are as follows:

*Non-Federal entities that expend \$750,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. Non-Federal entities that expend less than \$750,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office.*

Federal Office of Management and Budget (OMB) sets forth standards for obtaining consistency and uniformity for the audit of institutions of higher education, hospitals, and other non-profit organizations expending Federal awards.

*Single audit:* A Non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph(c) of this section.



(c) *Program-specific audit election.* When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.

(d) *Exemption when Federal awards expended are less than \$750,000.* A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

If an audit must be conducted pursuant to OMB Uniform Guidelines, a copy of the audit shall be submitted to the WV Division of Justice and Community Services as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

All private, non-profit subgrantees also must submit a copy of their audit for each year in which funds were expended and the resolution of any audit findings or recommendations to the Division of Justice and Community Services. If an audit is not required; all sub-grantees are required to conduct a financial review; which is approved by the governing board and submit to DJCS.

## **L. State Audit Requirements**

Subgrantees must assure that they have read, understand, and are in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, as amended, and are not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14., as amended. Subgrantees further understand that if they are currently debarred or are not in compliance with §12-4-14., as amended, they are ineligible to receive funding from the West Virginia Division of Justice and Community Services.



Additionally, programs who are not required to submit an audit under §12-4-14 are still required to submit a copy of an audit or an annual internal financial review to the VAWA Administrator at DJCS, showing the total budget expenditures and revenues from all sources for the prior year, along with a systematic method for timely and appropriate resolution of findings and/or recommendations.

*Note: any sub-grantee who is debarred must notify DJCS in writing of this within 30 days of becoming debarred.*

## **M. Enforcing Civil Rights Laws**

No person shall, on the grounds of race, religion, color, age, national origin, sex and, handicap; sub-grantees under grants under the Violence Against Women Act (VAWA) of 1993, as amended, are also prohibited from discriminating on the basis of sexual orientation or gender identity will be excluded from participation in, be denied the benefits, or be otherwise subjected to discrimination under or denied employment in connection with grants awarded pursuant to the Victims of Crime Act of 1984. Recipients of funds under the Act are also subject to Title VI of the Civil Rights Act of 1954. 42 U.S.C. 2000d (prohibiting discrimination in federally-funded programs on the basis of race, color, or national origin). Section 504 of the Rehabilitation Act of 1973, 2 U.S.C. 794 (prohibiting discrimination in such programs on the basis of handicap). The Age Discrimination Act of 1975, 42 U.S.C. 8108, et seq., and the Department of Justice Nondiscrimination Regulations. 28 CFR, Part 42, Subparts C, D, and G. Recipients of funds are also subject to Title I (employment of qualified disabled individuals), Title II (equal benefits of programs, services and activities to disabled individuals), and Title III (public accommodations to disabled individuals for services and activities); Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victim of Crime Act (42 U.S.C. § 10604 €); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. §5672 (b)); the Violence Against Women Act (42 U. S. C. § 13925 (b) (13)); the Civil Rights Act of 1964 (42 U. S. C. §2000d) the Indian Civil Rights Act (25 U.S.C. §§1301-1303) the Rehabilitation Act of 1973 (29 U. S. C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U. S. C. §§1681, 1683,1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07). It will also comply with Executive Order 13279, Equal Protection of the Laws for Faith-based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships with Faith-based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38.

In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, age, national origin, sex, handicap, or limited English proficiency



against a recipient of funds the applicant will forward a copy of the finding to the Office for Civil Rights and DJCS within 30 days of receiving notice.

Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services. This entity will send all adverse findings of discrimination within the last three years to the Office for Civil Rights to the following address:

Office for Civil Rights  
Office of Justice Programs  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

Grantees should post information for victims and staff which state where they can contact the Office for Civil Rights:

Office for Civil Rights  
P.O. Box 1789  
Charleston, WV 25326  
(304) 558-0546

They should also have posted the following information:

WV Human Rights Commission  
1321 Plaza, East, Room 108A  
Charleston, WV 25301  
(304) 558-2616  
1- 888-676-5546

Please find information for the Office for Civil Rights Frequently Asked Questions at:  
<https://www.justice.gov/sites/default/files/ovw/legacy/2014/06/20/faqs-ngc-vawa.pdf>

Nondiscrimination requirements under VAWA 2013 are as follows:

“No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, or activity funded in whole or in part with funds made available under STOP VAWA, and any other program or activity funded in whole or in part with funds appropriated



for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”

“If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, sub-grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.”



## Chapter 7

### PURCHASING PROCEDURES

#### A. General

This section sets forth procedures for purchasing supplies, equipment, construction, and other services. These procedures are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable law.

Grantees may use their own purchasing regulations and procedures which reflect applicable federal, state, and local laws provided that purchases made with grant funds adhere to the minimum requirements set forth below:

#### B. Minimum Requirements

1. All purchasing transactions, regardless of whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizations conflicts of interest or non-competitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work and/or RFPs for proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. In this regard, requests for proposal or invitations for bid issued by the grantee to implement the grant project are to provide notice to prospective bidders that DJCS organizational conflict of interest provision is applicable in that contractors that develop or draft specifications, requirements, statements of work/or RFPs for a proposed procurement shall be excluded form bidding or submitting a proposal to compete for the award of such procurement.
2. Proposed purchases shall be reviewed by grantee officials to avoid purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.



3. Invitations for bids or requests for proposals shall be based upon a clear and accurate description or the technical requirements for the material, produce, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of procurement, and when so used the specific features of the named brand which must be met by offerers should be clearly specified.
4. Positive efforts shall be made by the grantees to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing grant funds.
5. The type of procuring instruments used (i.e., fixed price contracts, cost reimbursable contracts, purchase orders, incentive contract, etc.) shall be appropriate for the particular procurement and for promoting the best interest of the grant program involved. The "cost-plus-a-percentage of cost" method of contracting shall not be used.
6. Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required method of procurement unless negotiation pursuant to paragraph (7) below is necessary to accomplish sound procurement. However, procurement of \$4,999 or less need not be so advertised unless otherwise required by state or local law or regulations. Where such advertised bids are obtained, the awards shall be made to the responsible bidder whose bid is responsive to the invitation and is most advantageous to the grantee price and other factors considered. (Factors such as discounts, transportation costs, taxes may be considered in determining the lowest bid.) Invitations for bids shall clearly set forth all requirements which the bidder must fulfill in order for his/her bid to be evaluated by the grantee. Any or all bids may be rejected when it is in the grantee's interest to do so, and such rejections are in accordance with applicable state and local law, rules, and regulations.
7. Procurements may be negotiated if it is impracticable to use formal advertising. The term "negotiation" is used to describe all procurement from the private sector that is made by means other than public advertising procedures. Unlike public advertising, negotiation generally involves discussion and bargaining with a view to reaching agreement on the prices and other terms of a



proposed contract. It may also be used to obtain an equitable adjustment for a unilateral, grantee-directed change in a contract provision, or to resolve a mutually acceptable amendment or supplement to an existing contract.

Contrary to a commonly held belief, negotiation is in no sense synonymous with non-competitive (sole source) procurement. Although the method of procuring a non-competitive basis, the general use of negotiation is not intended to preclude competition, in those instances when a contemplated procurement appears to be necessarily non-competitive, the grantee must not only assure that competition is not feasible, but also should take whatever actions are possible to foster competitive conditions for subsequent procurements of the same item. The objective of negotiation, as in public advertising, is to procure in the most effective manner and in the best interest of the grantee.

Public advertising is conducted in full public view, with the bid of each firm known to and examined by his/her competitors after bid opening. This is not true in competitive negotiation. Proposals submitted by competing firms in a negotiation are not disclosed to competitors or the public and subsequent negotiations on the basis of these proposals are conducted individually with each offered. Only after the execution of a contract is the successful firm made known the terms and conditions of the contract disclosed. In this way, competitive pressure is maintained throughout negotiations. Generally, procurement may be negotiated by the grantee if:

- a. The public exigency (requiring immediate aid or action) will not permit the delay incident to advertising:
- b. The material or service to be procured is available from only one person or firm: (All contemplated sole source procurements where the aggregate expenditure is expected to exceed \$4,999 shall be referred to for prior approval.) Proposed form all advertised or competitive negotiated procurements for which only one bid or proposal is received is deemed to be, for purposes of this paragraph, sole source procurement. An interagency contract where the work is performed by a state governmental agency, including a state university, does not require approval.
- c. The aggregate amount involved does not exceed \$4,999;



- d. The contract is for person or professional services, or for any service to be rendered by a university, college, or other educational institutions;
- e. No acceptable bids have been received after formal advertising;
- f. The purchases are for highly perishable materials or medical supplies, for material or services where the prices are established by law, for technical items or equipment requiring standardization and interchangeability or parts with existing equipment, for experimental, developmental or research work, for supplies purchased for authorized resale, and for technical or specialized supplies requiring substantial initial investment for manufacture;
- g. Otherwise authorized by law, rules, or regulations.

Notwithstanding the existence of circumstances justifying negotiation, competition shall be obtained to the maximum extent practicable.

- 8. Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, or accessibility to other necessary resources.
- 9. Procurement records or files for purchases in amount in excess of \$4,999 shall provide at least the following pertinent information: Justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated.
- 10. A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely follow-up of all purchases.

## **C. Contract Provisions**

Grantee shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts entered into:



1. Contracts shall contain such contractual provision or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate.
2. All contracts, amounts for which are in excess of \$4,999, shall contain suitable provisions for termination by the grantee including the manner by which it will be effected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.
3. All contracts awarded by grantees shall include a provision to the effect that the grantee, the grantor agency, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific grant program for the purpose of making audit, examination, excerpts, and transcriptions.
4. Each contract of an amount in excess of \$4,999 awarded by a grantee shall provide that the recipient will comply with applicable regulations and standards of the Cost of Living Council in establishing wages and prices. The provision shall advise the recipient that submission of a bid or offer or the submittal of an invoice or voucher for property, goods or services furnished under a contract or agreement with the grantee shall constitute a certification by him/her that amounts to be paid do not exceed maximum allowable levels authorized by the Cost of Living Council regulations or standards. Violations shall be reported to the Division of Justice and Community Services and the local Internal Revenue Service field office.

#### **D. Approval of Contracts**

Prior to entering into any contract exceeding \$4,999 which will be paid in whole or in part with project funds, a copy of the proposed contract must be submitted to DJCS for review and approval. This is to assure that the above provisions have been included in the proposed contract. In addition, grantees must submit to DJCS the selection basis (i.e., competitive bids, competitive negotiations, or sole source procurement) used in awarding the proposed contract. Copies of bids, proposals, or other documentation which would support selection basis must also be provided.



## **E. Property Accountability**

Subgrantees shall establish and administer a system to control, protection, preservation, use and maintenance, and properly disposal of any property or equipment provided by the Division of Justice and Community Services. This obligation continues as long as the property is retained by the subgrantee, notwithstanding the expiration of a contract agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS.



## Chapter 8

### MONITORING

#### A. General

The Division of Justice and Community Services staff will make at least one on-site visit to each funded sub-grant program every other year to monitor the performance of grant-supported activities. **(Appendix N)**. The only exceptions to this schedule are as follows:

1. **New Sub-grantees:** receive an on-site visit the initial year of funding and the following year (two consecutive annual visits);
2. **At Risk, Sub-grantee:** receive an on-site visit at least once a year and may receive follow-up visits.
3. **Compliance Issues:** sub-grantees in which a problem is found during a site visit will receive a follow-up visit the next year;
4. **Administrative/Personnel Change:** sub-grantees who experience significant administrative and/or personnel changes during a grant period may receive a scheduled on-site visit during the current or following grant year;
5. **Technical Assistance:** sub-grantees may request a technical assistance visit during a grant period or DJCS may determine a technical assistance and on-site monitoring visit is necessary.

Additionally, DJCS will require a self monitoring report for all programs which receive funds but are not visited on-site during a grant period. These forms will be mailed to the Project Directors with instructions and will be due no later than June 15th each grant year. **(Appendix N)**.

The purpose of the on-site visits and self reports is:

1. Determine progress made toward achieving project objectives;
2. Determine compliance with terms, conditions, and purpose of grant;
3. Identify technical assistance needs; and



4. Provide guidance of future design or funding of similar projects.



## Chapter 9

### VICTIM COMPENSATION PROGRAM

#### A. General

All grantees are required to assist victims make application for the victim compensation benefits. Such assistance may be achieved by: (a) identification of potential recipients; (b) providing assistance with application forms and procedures.

All grantees must demonstrate that they will coordinate their activities with the state compensation program.

#### B. West Virginia Crime Reparation Act of 1981

The West Virginia Crime Compensation Act established a special revenue fund which pays certain compensation and medical benefits to innocent victims of crime. The program is administered by the West Virginia Court of Claims.

1. **Funding** - The Crime Victims Compensation Program is supported through the assessment of additional court costs on every person who is convicted of or pleads guilty to a misdemeanor or felony offense, other than a non-moving traffic violation.

Funds are also provided to the program from the Victims of Crime Act of 1984 at a rate equal to sixty percent (60%) of the awards made in the year prior to the Victims of Crime grant. **(Appendix H)**

2. **Filing a Claim** - A claim may be filed by any innocent victim who suffers personal injury as the result of a crime, any individual who is the dependent of a deceased victim of a crime, any individual who is directly exposed to a crime, or any West Virginia resident who is victimized in a state without a victim compensation program.

The crime must be reported to law enforcement officials within 72 hours and the claimant must fully cooperate with law enforcement officials. The **only** exception of reporting to law enforcement is for victims of sexual assault. In that situation, the individual has 9 hours to complete a Forensic Medical Exam (Which will be accepted in lieu of reporting to the police). An Order of Protection does not fulfill the requirement of reporting to law enforcement. The claim for compensation must be filed within two years from the



date of the crime. If an individual is victimized as a minor and their parent or guardian fails to file on their behalf, the individual has two years after their eighteenth birthday to file a claim.

3. **Processing a Claim** - The Claim Investigator reviews the claim and files a finding of fact and recommendations. Once that is completed a Judge of the Court of Claims evaluates the claim without a hearing and renders a decision. If a claimant chooses to do so, they may request a hearing in the event their claim has been denied.

4. **Compensation Limit** - Compensation payable to a victim and to all other claimants sustaining economic loss because of injury to that victim shall not exceed \$35,000. Compensation for the death of a victim shall not exceed \$50,000, which includes up to \$10,000 for funeral expenses. Relocation expenses for a victim shall not exceed \$2,500.

Additional costs covered include lost scholarships which include monies for student loans.

An additional amount up to \$100,000 may be compensable at the discretion of the Court. Note this qualification parallels the guidelines set forth by Social Security Disability.

The Victim Compensation Fund may also financially assist with the return of a minor or incapacitated adult who has been unlawfully removed (or kidnapped) from the State of West Virginia and taken to another state. The maximum award for expenses related to such an event is \$2,000, unless the victim has been taken to another country in which the maximum award would be \$3,000.

A copy of the claim form is found in **Appendix I**.



## Chapter 10

### FORENSIC MEDICAL EXAMINATION FUND

#### A. General

The Forensic Medical Examination Fund was passed by the West Virginia Legislature on March 9, 1996. The purpose of the fund is to ensure that victims of sexual assault do **not** have to pay out-of-pocket costs for forensic medical examinations. A copy of the Forensic Medical Examination Bill can be found in **Appendix J**.

#### B. Procedures

When any person alleges that he or she has been the victim of any sexual assault and/or other related offenses, the following events should occur:

1. A licensed medical facility will perform a forensic medical examination within a reasonable time of the alleged violation.

The costs of additional nonforensic procedures performed by the licensed medical facility, including, but not limited to, prophylactic treatment, treatment of injuries, testing for pregnancy and testing for sexually transmitted diseases, may **not** be paid from the fund.

2. The licensed medical facility will apply for payment of the costs of a forensic medical examination from the fund within a reasonable time of the alleged violation.

The payment will cover all reasonable, customary and usual costs of the forensic medical examination up to \$350.

3. The licensed medical facility will submit a statement of charges (invoice) directly to the West Virginia Prosecuting Attorneys Institute for payment (*Pursuant to recent statutory changes, local prosecutor approval is no longer required for either performing an exam or for billing the Institute for said exam. See 168 CSR 1, et. Seq., in Appendix J*) from the fund at:

90 MacCorkle Avenue, S.W.  
Suite 202  
South Charleston, WV 25303  
ATTN: Forensic Medical Fund



No licensed medical facility may collect the costs of a forensic medical examination from the victim (or from the victim's insurance company) of an alleged violation of sexual assault.



# **VAWA Administrative Manual**

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# APPENDIX A

## Violence Against Women Act



## The Violence Against Women Act of 2000 (VAWA 2000):

4/3/2001

The Violence Against Women Act of 2000 (P.L. 106-386), enacted on October 28, 2000, improves legal tools and programs addressing domestic violence, sexual assault, and stalking. VAWA 2000 reauthorizes critical grant programs created by the original Violence Against Women Act and subsequent legislation, establishes new programs, and strengthens federal laws. The following information highlights many of the important changes and improvements included in VAWA 2000.

### *Dating Violence*

- Defines "dating violence" as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined by the following factors: 1) length of the relationship; 2) type of relationship; and 3) frequency of interaction between the persons involved.
- Adds "dating violence" to several of the purpose areas under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, the STOP (Services\*Training\*Officers\* Prosecutors) Violence Against Women Formula Grant Program, the Rural Domestic Violence and Child Victimization Enforcement Grant Program, and the Grants to Reduce Violent Crimes Against Women on Campus Program.

### *Grants to Indian Tribal Governments*

- Increases the set aside for tribes from 4% to 5% under the Grants to Combat Violent Crimes Against Women and creates a 5% set aside for tribes under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, the Rural Domestic Violence and Child Victimization Enforcement Grant Program, the Legal Assistance for Victims Program and the Safe Havens for Children (supervised visitation) Program.

### *Grants to Encourage Arrest Policies Program*

- Reauthorizes the program at \$65 million for fiscal years 2001-2005 and changes the name of the program to the "Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program."
- Adds facilitating widespread enforcement of protection orders as a purpose of the program and requires that priority be given to applicants that demonstrate a commitment to strong enforcement of protection orders from other states and jurisdictions, including tribal jurisdictions.
- Adds "probation and parole officers" to two purpose areas on coordination and communication among police, prosecutors, and judges in domestic violence cases.
- Allows funds to be used to develop and strengthen policies and training for police, prosecutors, and the judiciary on domestic violence and sexual assault against older individuals and individuals with disabilities.
- Clarifies that strengthening legal advocacy services for victims of domestic violence under the program includes assistance to victims of domestic violence in immigration matters.
- Requires grantees under the program (and under the STOP Violence Against Women Formula Grant Program) to certify that their laws, practices, and policies do not require victims to pay filing or service costs related to criminal domestic violence cases or protection orders.



- Makes state and local courts eligible grantees under the program.

#### *Full Faith and Credit*

- Prohibits states and tribes from requiring notification (to the perpetrator) of the registration of an out of state or tribal protection order, unless the victim requests the notification.
- States that registration and/or filing cannot be a prerequisite for enforcing out of state or tribal orders of protection.
- Clarifies that tribal courts have full civil jurisdiction to enforce orders of protection.

#### *Grants to Combat Violent Crimes Against Women (which include the STOP Violence Against Women Formula Grant Program)*

- Reauthorizes the program at \$185 million for fiscal years 2001-2005.
- Establishes four new purposes for which funds may be used: 1) to support statewide, coordinated community responses; 2) to train sexual assault forensic medical personnel examiners; 3) to develop, enlarge, and strengthen programs to assist law enforcement, prosecutors, courts and others to address and recognize the needs and circumstances of older and disabled individuals who are victims of domestic violence and sexual assault; and 4) to provide assistance to victims of domestic violence and sexual assault in immigration matters.
- Requires that 2.5% of funds be awarded to domestic violence coalitions and that 2.5% be awarded to sexual assault coalitions, with 1/54 going to develop and operate nonprofit tribal coalitions.
- Provides that state, local and tribal courts are eligible STOP subgrantees.
- Redefines "underserved populations" to include geographic location, race and ethnicity, language barriers, all disabilities, alienage status, age, and any other population determined to be underserved by the state planning process in consultation with the Attorney General.
- Allocates not less than 25% of STOP funds to police, 25% to prosecutors, 30% to victim services, and 5% to state and local courts.

#### *Rural Domestic Violence and Child Victimization Enforcement Grants*

- Reauthorizes the program at \$40 million for fiscal years 2001-2005.
- Adds providing assistance to victims of domestic violence and child abuse in immigration matters to the purpose area on counseling for victims.

#### *National Stalker and Domestic Violence Reduction*

- Reauthorizes the grants to improve processes for entering data regarding stalking and domestic violence into local, state, and national crime information databases at \$3 million for fiscal years 2001-2005.

#### *Amendments to Domestic Violence and Stalking Offenses*



- Amends the interstate domestic violence and stalking offenses to clarify the elements of these offenses and to improve effective prosecution of these crimes.
- Expands the interstate stalking law to include interstate cyberstalking and adds entering or leaving Indian country to the interstate stalking offense.

#### *Grants to Reduce Violent Crimes Against Women on Campus*

- Reauthorizes the program at \$10 million for fiscal years 2001-2005.
- Changes the definition of "victim services" to clarify that victim services organizations at public universities are covered.
- Adds "including assistance to victims in immigration matters" to one of the program's purpose areas.

#### *Legal Assistance for Victims*

- Authorizes the Attorney General to make grants to provide civil legal assistance for victims of domestic violence, stalking, and sexual assault at \$40 million for fiscal years 2001-2005.
- Requires that a minimum of 25% of the funding be used to support projects focused solely or primarily on providing legal assistance to victims of sexual assault.
- Defines legal assistance to include family, immigration, administrative agency, housing, protection orders, and "other similar matters."
- Includes private nonprofits, Indian tribal governments, and law school clinics as eligible grantees.
- Requires grantees to certify that any person providing legal assistance has completed or will complete training that was developed with a domestic violence or sexual assault coalition or program and that the grantee's policies do not require mediation or counseling of offenders and victims together.

#### *Shelter Services for Battered Women and Children*

- Reauthorizes this program at \$175 million for fiscal years 2001-2005.

#### *Transitional Housing Assistance for Victims of Domestic Violence*

- Creates a new grant program to be administered by the Department of Health and Human Services authorized at \$25 million for fiscal year 2001.

#### *National Domestic Violence Hotline*

- Reauthorizes the National Domestic Violence Hotline at \$2 million for fiscal years 2001-2005.

#### *Studies Related to Violence Against Women*



- Requires certain federal agencies to conduct national studies and report to Congress on state laws regarding insurance discrimination against victims of violence against women, on workplace responses to domestic violence, sexual assault, and stalking, and on unemployment compensation for victims of violence against women.

*Elder Abuse, Neglect, and Exploitation, Including Domestic Violence and Sexual Assault Against Older or Disabled Individuals*

- Creates a new Department of Justice grant program to provide training for law enforcement, prosecutors and courts on elder abuse, neglect, exploitation and violence against individuals with disabilities, including domestic violence and sexual assault against older or disabled individuals.
- Authorizes the program at \$5 million for fiscal years 2001-2005.

*Safe Havens for Children Pilot Program*

- Creates a pilot program to make grants to states, units of local government, and Indian tribal governments to work with nonprofit entities to provide supervised visitation and safe visitation exchange of children in domestic violence, child abuse, sexual assault, or stalking cases.
- Authorizes the program at \$15 million for fiscal years 2001-2002.

*Reauthorization of Victims of Child Abuse Programs*

- Reauthorizes the Court Appointed Special Advocate Program at \$12 million for fiscal years 2001-2005.
- Reauthorizes the Child Abuse Training Programs for judicial personnel and practitioners at \$2.3 million for fiscal years 2001-2005.
- Reauthorizes the Grants for Televised Testimony at \$1 million for fiscal years 2001-2005.

*Report on Effects of Parental Kidnaping Laws in Domestic Violence Cases*

- Requires a study and report to Congress on federal and state laws relating to child custody, including recommendations to reduce violence against women and sexual assault of children.
- Expands emergency jurisdiction under the Parental Kidnapping Prevention Act to include domestic violence cases.

*Rape Prevention and Education*

- Reauthorizes and expands this Department of Health and Human Services grant program at \$80 million for fiscal years 2001-2005.

*Education and Training to End Violence Against and Abuse of Women with Disabilities*

- Creates a new Department of Justice grant program to make grants to states, units of local government, tribal governments, and nongovernmental private entities to provide education and technical assistance on domestic violence, stalking and sexual assault against women with disabilities. Authorizes the program at \$7.5 million for



fiscal years 2001-2005.

#### *Community Initiatives*

- Reauthorizes this Department of Health and Human Services program at \$6 million for fiscal years 2001-2005.

#### *Development of Research Agenda Identified by the Violence Against Women Act*

- Requires the Attorney General to develop a research agenda based on the recommendations contained in the National Academy of Sciences report "Understanding Violence Against Women" and to report to Congress on the agenda.

#### *Standards, Practice and Training for Sexual Assault Forensic Examinations*

- Requires the Attorney General to evaluate existing standards and protocols and develop and report to Congress on a national standard and protocol for sexual assault forensic examinations.

#### *Education and Training for Judges and Court Personnel*

- Reauthorizes the State Justice Institute grants for training for state judges and court personnel at \$1.5 million for fiscal years 2001-2005. Expands the training to include dating violence, domestic violence and child sexual assault issues in custody and visitation cases.
- Authorizes \$500,000 for fiscal years 2001-2005 to the Federal Judicial Center for education and training programs on violence against women for federal judges.

#### *Domestic Violence Task Force*

- Requires the Attorney General, in consultation with national programs whose primary expertise is in domestic violence, to establish a task force to coordinate federal research on domestic violence. Authorizes \$500,000 for fiscal years 2001-2004 for this purpose.

#### *New Protections for Battered Immigrants*

- Makes numerous improvements that expand battered immigrants' access to immigration relief and remove abusers' ability to use immigration laws as a tool of control over immigrant victims. For example, VAWA 2000:
- Allows a battered immigrant who was divorced from the abuser within the previous two years to file for VAWA relief, provided that the divorce was connected to the abuse.
- Authorizes the Attorney General to waive certain barriers to battered immigrants' access to lawful permanent residence, including waivers for certain crimes of domestic violence and other crimes connected to the abuse.
- Clarifies that battered immigrants' use of public benefits specifically made available to VAWA self-petitioners under the welfare law does not make them ineligible for their green cards on the ground that they are likely to become a public charge.
- Allows VAWA self-petitioners to adjust their status to lawful permanent resident in the United States rather than having to go abroad to do so.
- Creates a new nonimmigrant U-visa for victims of certain serious crimes, including domestic violence, sexual assault, stalking, and trafficking crimes if the victim has suffered substantial physical or mental abuse as a result of the crime, the victim has information about the crime, and a law enforcement official or a judge certifies that the



victim is or is likely to be helpful in investigating or prosecuting the crime. The number of visas is capped at 10,000 per year. The Attorney General may adjust U-visa holders to lawful permanent resident status if they have been present in the U.S. for three years and it is justified on humanitarian grounds, to promote family unity, or is otherwise in the public interest.

*Trafficking Provisions Include:*

- The purpose of the trafficking bill is to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, through prevention, prosecution and enforcement against traffickers, and protection and assistance for victims.
- Requires the Secretary of State to include in the annual Country Reports on Human Rights Practices information on the nature and extent of trafficking and efforts to combat trafficking.
- Requires the President to establish an Interagency Task Force to Monitor and Combat Trafficking, chaired by the Secretary of State, and authorizes the establishment of an Office to Monitor and Combat Trafficking.
- Charges the President with establishing prevention initiatives to enhance economic opportunities for trafficking victims, such as microcredit lending and education programs, and with establishing public awareness programs on the dangers of trafficking and the protections available to victims.
- Requires the Department of State and the U.S. Agency for International Development to establish programs and initiatives in foreign countries to assist in the safe integration, reintegration, or resettlement of victims of trafficking.
- Directs the Attorney General, the Secretaries of Labor and HHS, the Board of Directors of the Legal Services Corporation, and the heads of other federal agencies to expand their benefits and services to "victims of severe forms of trafficking" in the U.S., regardless of the victims' immigration status. Eligible victims are those who have not attained 18 years of age or have received a certification by the Secretary of HHS (after consultation with the AG) that (1) they are willing to assist in every reasonable way in the investigation and prosecution of trafficking and (2) either they have made a bona fide application for a T-visa (as established by this Act) that has not been denied or their continued presence in the U.S. is being ensured by the Attorney General in order to prosecute traffickers.
- Authorizes the Attorney General to make grants to state, tribal governments, local governments, and nonprofits to develop, expand, or strengthen services for victims of trafficking.
- Requires the Secretary of State and the Attorney General to promulgate regulations to ensure that victims of trafficking are provided with appropriate shelter while in federal custody and with necessary medical care, assistance, and protection, that victims have access to information about their rights and translation services, that victims are assured continuous presence in the U.S. to assist in the prosecution of traffickers, and that State and Justice Department personnel are trained in identifying and protecting victims of trafficking.
- Creates a new, nonimmigrant "T" visa for certain "victims of severe forms of trafficking" who either have complied with any reasonable request for assistance in the investigation or prosecution of trafficking or have not yet turned 15 years old. The number of visas is capped at 5,000 per year. The Attorney General may adjust T-visa holders to lawful permanent resident status under certain circumstances.
- In cases of countries that fail to comply with the Act's minimum standards for the elimination of trafficking and fail to make significant efforts to comply with such standards, the President is required to withhold nonhumanitarian U.S. foreign assistance. However, this requirement does not go into effect until 2003, and the President has the discretion to waive this requirement for several reasons, including to avoid substantial adverse impact on victims.
- Increases the penalties for slavery and trafficking crimes and creates a new crime of forced labor that captures slavery-like practices that do not meet the elements of the involuntary servitude statute as interpreted by the Supreme Court. The bill also criminalizes trafficking for the purpose of involuntary servitude or forced labor and



sex trafficking of children or by force, fraud, or coercion. Finally, it punishes the withholding or destruction of immigration or identification documents for the purpose of preventing a trafficking victim from escaping.

- Provides for mandatory restitution for trafficking victims and for asset forfeiture and witness protection in trafficking cases.
- Authorizes \$1.5 million in FY 2001 and \$3 million in FY 2002 for the Task Force, \$5 million in FY 2001 and \$10 million in FY 2002 for the Department of Health and Human Services to provide services and benefits for trafficking victims, \$5 million in FY 2001 and \$10 million in FY 2002 for the State Department to provide assistance for victims in other countries, \$5 million in FY 2001 and \$10 million in FY 2002 for the Department of Justice to provide benefits, services, and grants for services for trafficking victims, \$5 million in FY 2001 and \$10 million in FY 2002 to the President for foreign victim assistance, \$5 million in FY 2001 and \$10 million in FY 2002 for assistance to foreign countries to meet the minimum standards for elimination of trafficking, and \$5 million in FY 2001 and \$10 million in FY 2002 for the Department of Labor to provide benefits and services for trafficking victims.

Please note that while the legislation reflects amounts that are authorized, actual funding for all programs is determined by each year's appropriation. Although FY 2001 authorizations are included in VAWA 2000, actual funding for FY 2001 was based on VAWA.



**Provisions of VAWA 2005  
Relevant to STOP Grants**

**"SEC. 40002. DEFINITIONS AND GRANT PROVISIONS.**

**"(a) DEFINITIONS.—**In this title:

**(1) COURTS.—**The term 'courts' means any civil or criminal, tribal, and Alaskan Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decisionmaking authority.

**(2) CHILD ABUSE AND NEGLECT.—**The term 'child abuse and neglect' means any recent act or failure to act on the part of a parent or caregiver with intent to cause death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm. This definition shall not be construed to mean that failure to leave an abusive relationship, in the absence of other action constituting abuse or neglect, is itself abuse or neglect.

**(3) COMMUNITY-BASED ORGANIZATION.—**The term 'community-based organization' means an organization that—

"(A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;

"(B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;

"(C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or

"(D) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.

**(4) CHILD MALTREATMENT.—**The term 'child maltreatment' means the physical or psychological abuse or neglect of a child or youth, including sexual assault and abuse.

**(5) COURT-BASED AND COURT-RELATED PERSONNEL.—**The term 'court-based' and 'court-related personnel' mean persons working in the court, whether paid or volunteer, including—

"(A) clerks, special masters, domestic relations officers, administrators, mediators, custody evaluators, guardians ad litem, lawyers, negotiators, probation, parole, interpreters, victim assistants, victim advocates, and judicial, administrative, or any other professionals or personnel similarly involved in the legal process;

"(B) court security personnel;

"(C) personnel working in related, supplementary offices or programs (such as child support enforcement); and



bureaus (such as governmental victim services programs), including those referred to in section 3 of the Indian Enforcement Reform Act (25 U.S.C. 2802).

**(16) LEGAL ASSISTANCE.**—The term 'legal assistance' includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

“(A) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

“(B) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim's safety and privacy.

**(17) LINGUISTICALLY AND CULTURALLY SPECIFIC SERVICES.**—

The term 'linguistically and culturally specific services' means community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward underserved communities.

**(18) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.**—The term 'personally identifying information' or

'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (A) through (D), would serve to identify any individual.

**(19) PROSECUTION.**—The term 'prosecution' means any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency's component bureaus (such as governmental victim services programs).

**(20) PROTECTION ORDER OR RESTRAINING ORDER.**—The term 'protection order' or 'restraining order' includes—

“(A) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence or contact or communication with or physical proximity to, another person, including any temporary or final orders issued by civil or criminal courts whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and



disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

(33) VICTIM ADVOCATE.—The term 'victim advocate' means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a victim services program.

(34) VICTIM ASSISTANT.—The term 'victim assistant' means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a court or a law enforcement or prosecution agency.

(35) VICTIM SERVICES OR VICTIM SERVICE PROVIDER.—The term 'victim services' or 'victim service provider' means a nonprofit, nongovernmental organization that assists domestic violence, dating violence, sexual assault, or stalking victims, including rape crisis centers, domestic violence shelters, faithbased organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

(36) YOUTH.—The term 'youth' means teen and young adult victims of domestic violence, dating violence, sexual assault, or stalking.

**(b) GRANT CONDITIONS.—**

(1) MATCH.—No matching funds shall be required for a grant or subgrant made under this title for any tribe, territory, victim service provider, or any entity that the Attorney General determines has adequately demonstrated financial need.

**(2) NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE INFORMATION.—**

“(A) IN GENERAL.—In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking; and their families, grantees and subgrantees under this title shall protect the confidentiality and privacy of persons receiving services.

“(B) NONDISCLOSURE.—Subject to subparagraphs (C) and (D), grantees and subgrantees shall not—

“(i) disclose any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs; or

“(ii) reveal individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of persons with disabilities, the guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, person with disabilities, or the abuser of the other parent of the minor.



programs or projects are likely to be effective or responsive to needs in the field.

(8) NONEXCLUSIVITY.—Nothing in this title shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this title.

(9) PROHIBITION ON TORT LITIGATION.—Funds appropriated for the grant program under this title may not be used to fund civil representation in a lawsuit based on a tort claim. This paragraph should not be construed as a prohibition on providing assistance to obtain restitution in a protection order or criminal case.

## **SEC. 101. STOP GRANTS IMPROVEMENTS.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is amended by striking “\$185,000,000 for each of fiscal years 2001 through 2005” and inserting “\$225,000,000 for each of fiscal years 2007 through 2011”.

(b) PURPOSE AREA ENHANCEMENTS.—Section 2001(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

(1) in paragraph (10), by striking “and” after the semicolon;

(2) in paragraph (11), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(12) maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;

“(13) supporting the placement of special victim assistants (to be known as ‘Jessica Gonzales Victim Assistants’) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities—

“(A) developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized;

“(B) notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;

“(C) referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and

“(D) taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order; and



“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to permit a State, Indian tribal government, or territorial government to require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.

“(e) **JUDICIAL NOTIFICATION.**—

“(1) **IN GENERAL.**—A State or unit of local government shall not be entitled to funds under this part unless the State or unit of local government—

“(A) certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws; or

“(B) gives the Attorney General assurances that its judicial administrative policies and practices will be in compliance with the requirements of subparagraph (A) within the later of—

“(i) the period ending on the date on which the next session of the State legislature ends; or

“(ii) 2 years.

“(2) **REDISTRIBUTION.**—Funds withheld from a State or unit of local government under subsection (a) shall be distributed to other States and units of local government, pro rata.”.

(g) **POLYGRAPH TESTING PROHIBITION.**—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended by adding at the end the following:

### **SEC. 2013. POLYGRAPH TESTING PROHIBITION.**

“(a) **IN GENERAL.**—In order to be eligible for grants under this part, a State, Indian tribal government, territorial government, or unit of local government shall certify that, not later than 3 years after the date of enactment of this section, their laws, policies, or practices will ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

“(b) **PROSECUTION.**—The refusal of a victim to submit to an examination described in subsection (a) shall not prevent the investigation, charging, or prosecution of the offense.”.



## **TITLE IV—VIOLENCE AGAINST WOMEN**

### **SEC. 40001. SHORT TITLE.**

This title may be cited as the "Violence Against Women Act of 1994".



(1) comparative Federal sentences for cases in which the rape victim is known to the defendant and cases in which the rape victim is not known to the defendant;

(2) comparative Federal sentences for cases on Federal territory and sentences in surrounding States; and

(3) an analysis of the effect of rape sentences on populations residing primarily on Federal territory relative to the impact of other Federal offenses in which the existence of Federal jurisdiction depends upon the offense's being committed on Federal territory.

**SEC. 40113. MANDATORY RESTITUTION FOR SEX CRIMES.**

**(a) SEXUAL ABUSE.—**

(1) **IN GENERAL.**—Chapter 109A of title 18, United States Code, is amended by adding at the end the following new section:

**“§ 2248. Mandatory restitution**

**“(a) IN GENERAL.**—Notwithstanding section 3663, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

**“(b) SCOPE AND NATURE OF ORDER.—**

**“(1) DIRECTIONS.**—The order of restitution under this section shall direct that—

**“(A)** the defendant pay to the victim (through the appropriate court mechanism) the full amount of the victim's losses as determined by the court, pursuant to paragraph (3); and

**“(B)** the United States Attorney enforce the restitution order by all available and reasonable means.

**“(2) ENFORCEMENT BY VICTIM.**—An order of restitution also may be enforced by a victim named in the order to receive the restitution in the same manner as a judgment in a civil action.

**“(3) DEFINITION.**—For purposes of this subsection, the term ‘full amount of the victim's losses’ includes any costs incurred by the victim for—

**“(A)** medical services relating to physical, psychiatric, or psychological care;

**“(B)** physical and occupational therapy or rehabilitation;

**“(C)** necessary transportation, temporary housing, and child care expenses;

**“(D)** lost income;

**“(E)** attorneys' fees, plus any costs incurred in obtaining a civil protection order; and

**“(F)** any other losses suffered by the victim as a proximate result of the offense.

**“(4) ORDER MANDATORY.**—(A) The issuance of a restitution order under this section is mandatory.

**“(B)** A court may not decline to issue an order under this section because of—

**“(i)** the economic circumstances of the defendant; or

**“(ii)** the fact that a victim has, or is entitled to, receive compensation for his or her injuries from the proceeds of insurance or any other source.



modify the terms or conditions of probation or supervised release or hold a defendant serving a term of supervised release in contempt, the court shall consider the defendant's employment status, earning ability and financial resources, the willfulness of the defendant's failure to comply, and any other circumstances that may have a bearing on the defendant's ability to comply.

"(c) PROOF OF CLAIM.—

"(1) AFFIDAVIT.—Within 60 days after conviction and, in any event, not later than 10 days prior to sentencing, the United States Attorney (or the United States Attorney's delegee), after consulting with the victim, shall prepare and file an affidavit with the court listing the amounts subject to restitution under this section. The affidavit shall be signed by the United States Attorney (or the United States Attorney's delegee) and the victim. Should the victim object to any of the information included in the affidavit, the United States Attorney (or the United States Attorney's delegee) shall advise the victim that the victim may file a separate affidavit and shall provide the victim with an affidavit form which may be used to do so.

"(2) OBJECTION.—If, after the defendant has been notified of the affidavit, no objection is raised by the defendant, the amounts attested to in the affidavit filed pursuant to paragraph (1) shall be entered in the court's restitution order. If objection is raised, the court may require the victim or the United States Attorney (or the United States Attorney's delegee) to submit further affidavits or other supporting documents, demonstrating the victim's losses.

"(3) ADDITIONAL DOCUMENTATION AND TESTIMONY.—If the court concludes, after reviewing the supporting documentation and considering the defendant's objections, that there is a substantial reason for doubting the authenticity or veracity of the records submitted, the court may require additional documentation or hear testimony on those questions. The privacy of any records filed, or testimony heard, pursuant to this section shall be maintained to the greatest extent possible, and such records may be filed or testimony heard in camera.

"(4) FINAL DETERMINATION OF LOSSES.—If the victim's losses are not ascertainable by the date that is 10 days prior to sentencing as provided in paragraph (1), the United States Attorney (or the United States Attorney's delegee) shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing. If the victim subsequently discovers further losses, the victim shall have 60 days after discovery of those losses in which to petition the court for an amended restitution order. Such order may be granted only upon a showing of good cause for the failure to include such losses in the initial claim for restitutionary relief.

"(d) MODIFICATION OF ORDER.—A victim or the offender may petition the court at any time to modify a restitution order as appropriate in view of a change in the economic circumstances of the offender.

"(e) REFERENCE TO MAGISTRATE OR SPECIAL MASTER.—The court may refer any issue arising in connection with a proposed order of restitution to a magistrate or special master for proposed



"(ii) the fact that a victim has, or is entitled to, receive compensation for his or her injuries from the proceeds of insurance or any other source.

"(C)(i) Notwithstanding subparagraph (A), the court may take into account the economic circumstances of the defendant in determining the manner in which and the schedule according to which the restitution is to be paid.

"(ii) For purposes of this subparagraph, the term 'economic circumstances' includes—

"(I) the financial resources and other assets of the defendant;

"(II) projected earnings, earning capacity, and other income of the defendant; and

"(III) any financial obligations of the defendant, including obligations to dependents.

"(D) Subparagraph (A) does not apply if—

"(i) the court finds on the record that the economic circumstances of the defendant do not allow for the payment of any amount of a restitution order, and do not allow for the payment of any or some portion of the amount of a restitution order in the foreseeable future (under any reasonable schedule of payments); and

"(ii) the court enters in its order the amount of the victim's losses, and provides a nominal restitution award.

"(5) MORE THAN 1 OFFENDER.—When the court finds that more than 1 offender has contributed to the loss of a victim, the court may make each offender liable for payment of the full amount of restitution or may apportion liability among the offenders to reflect the level of contribution and economic circumstances of each offender.

"(6) MORE THAN 1 VICTIM.—When the court finds that more than 1 victim has sustained a loss requiring restitution by an offender, the court shall order full restitution of each victim but may provide for different payment schedules to reflect the economic circumstances of each victim.

"(7) PAYMENT SCHEDULE.—An order under this section may direct the defendant to make a single lump-sum payment or partial payments at specified intervals.

"(8) SETOFF.—Any amount paid to a victim under this section shall be set off against any amount later recovered as compensatory damages by the victim from the defendant in—

"(A) any Federal civil proceeding; and

"(B) any State civil proceeding, to the extent provided by the law of the State.

"(9) EFFECT ON OTHER SOURCES OF COMPENSATION.—The issuance of a restitution order shall not affect the entitlement of a victim to receive compensation with respect to a loss from insurance or any other source until the payments actually received by the victim under the restitution order fully compensate the victim for the loss.

"(10) CONDITION OF PROBATION OR SUPERVISED RELEASE.—Compliance with a restitution order issued under this section shall be a condition of any probation or supervised release of a defendant. If an offender fails to comply with a restitution order, the court may, after a hearing, revoke probation or a term of supervised release, modify the terms or conditions



"(e) REFERENCE TO MAGISTRATE OR SPECIAL MASTER.—The court may refer any issue arising in connection with a proposed order of restitution to a magistrate or special master for proposed findings of fact and recommendations as to disposition, subject to a de novo determination of the issue by the court.

"(f) DEFINITION.—For purposes of this section, the term 'victim' means the individual harmed as a result of a commission of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named as such representative or guardian."

(2) TECHNICAL AMENDMENT.—The chapter analysis for chapter 110 of title 18, United States Code, is amended by adding at the end the following new item:

"2259. Mandatory restitution."

**SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM'S COUNSELORS.**

There are authorized to be appropriated for the United States Attorneys for the purpose of appointing Victim/Witness Counselors for the prosecution of sex crimes and domestic violence crimes where applicable (such as the District of Columbia)—

- (1) \$500,000 for fiscal year 1996;
- (2) \$500,000 for fiscal year 1997; and
- (3) \$500,000 for fiscal year 1998.

**CHAPTER 2—LAW ENFORCEMENT AND PROSECUTION  
GRANTS TO REDUCE VIOLENT CRIMES AGAINST  
WOMEN**

**SEC. 40121. GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN.**

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended by section 32101(a), is amended—

- (1) by redesignating part T as part U;
- (2) by redesignating section 2001 as section 2101; and
- (3) by inserting after part S the following new part:

**"PART T—GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN**

**"SEC. 2001. PURPOSE OF THE PROGRAM AND GRANTS.**

"(a) GENERAL PROGRAM PURPOSE.—The purpose of this part is to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.

"(b) PURPOSES FOR WHICH GRANTS MAY BE USED.—Grants under this part shall provide personnel, training, technical assistance, data collection and other equipment for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women, and specifically, for the purposes of—

- "(1) training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against



"(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with non-profit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs;

"(3) at least 25 percent of the amount granted shall be allocated, without duplication, to each of the following 3 areas: prosecution, law enforcement, and victim services; and

"(4) any Federal funds received under this part shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subtitle.

"(d) **APPLICATION REQUIREMENTS.**—The application requirements provided in section 513 shall apply to grants made under this part. In addition, each application shall include the certifications of qualification required by subsection (c), including documentation from nonprofit, nongovernmental victim services programs, describing their participation in developing the plan required by subsection (c)(2). An application shall include—

"(1) documentation from the prosecution, law enforcement, and victim services programs to be assisted, demonstrating—

"(A) need for the grant funds;

"(B) intended use of the grant funds;

"(C) expected results from the use of grant funds; and

"(D) demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity and language background;

"(2) proof of compliance with the requirements for the payment of forensic medical exams provided in section 2005; and

"(3) proof of compliance with the requirements for paying filing and service fees for domestic violence cases provided in section 2006.

"(e) **DISBURSEMENT.**—

"(1) **IN GENERAL.**—Not later than 60 days after the receipt of an application under this part, the Attorney General shall—

"(A) disburse the appropriate sums provided for under this part; or

"(B) inform the applicant why the application does not conform to the terms of section 513 or to the requirements of this section.

"(2) **REGULATIONS.**—In disbursing monies under this part, the Attorney General shall issue regulations to ensure that States will—

"(A) give priority to areas of varying geographic size with the greatest showing of need based on the availability of existing domestic violence and sexual assault programs in the population and geographic area to be served in relation to the availability of such programs in other such populations and geographic areas;

"(B) determine the amount of subgrants based on the population and geographic area to be served;

"(C) equitably distribute monies on a geographic basis including nonurban and rural areas of various geographic sizes; and

"(D) recognize and address the needs of underserved populations.



including such agency's component bureaus (such as governmental victim services programs);

"(6) the term 'sexual assault' means any conduct proscribed by chapter 109A of title 18, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim;

"(7) the term 'underserved populations' includes populations underserved because of geographic location (such as rural isolation), underserved racial or ethnic populations, and populations underserved because of special needs, such as language barriers or physical disabilities; and

"(8) the term 'victim services' means a nonprofit, nongovernmental organization that assists domestic violence or sexual assault victims, including rape crisis centers, battered women's shelters, and other sexual assault or domestic violence programs, including nonprofit, nongovernmental organizations assisting domestic violence or sexual assault victims through the legal process.

**"SEC. 2004. GENERAL TERMS AND CONDITIONS.**

"(a) **NONMONETARY ASSISTANCE.**—In addition to the assistance provided under this part, the Attorney General may request any Federal agency to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State, tribal, and local assistance efforts.

"(b) **REPORTING.**—Not later than 180 days after the end of each fiscal year for which grants are made under this part, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that includes, for each State and for each grantee Indian tribe—

"(1) the number of grants made and funds distributed under this part;

"(2) a summary of the purposes for which those grants were provided and an evaluation of their progress;

"(3) a statistical summary of persons served, detailing the nature of victimization, and providing data on age, sex, relationship of victim to offender, geographic distribution, race, ethnicity, language, and disability; and

"(4) an evaluation of the effectiveness of programs funded under this part.

"(c) **REGULATIONS OR GUIDELINES.**—Not later than 120 days after the date of enactment of this part, the Attorney General shall publish proposed regulations or guidelines implementing this part. Not later than 180 days after the date of enactment, the Attorney General shall publish final regulations or guidelines implementing this part.

**"SEC. 2005. RAPE EXAM PAYMENTS.**

"(a) **RESTRICTION OF FUNDS.**—

"(1) **IN GENERAL.**—A State, Indian tribal government, or unit of local government, shall not be entitled to funds under this part unless the State, Indian tribal government, unit of local government, or another governmental entity incurs the



U.S.C. 3711 et seq.), as amended by section 32101(b), is amended by striking the matter relating to part T and inserting the following:

**"PART T—GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN**

- \*Sec. 2001. Purpose of the program and grants.
- \*Sec. 2002. State grants.
- \*Sec. 2003. General definitions.
- \*Sec. 2004. General terms and conditions.
- \*Sec. 2005. Rape exam payments.
- \*Sec. 2006. Filing costs for criminal charges.

**"PART U—TRANSITION—EFFECTIVE DATE—REPEALER**

- \*Sec. 2101. Continuation of rules, authorities, and proceedings."

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793), as amended by section 32101(d), is amended—

(1) in paragraph (3) by striking "and S" and inserting "S, and T"; and

(2) by adding at the end the following new paragraph:

"(18) There are authorized to be appropriated to carry out part T—

- "(A) \$26,000,000 for fiscal year 1995;
- "(B) \$130,000,000 for fiscal year 1996;
- "(C) \$145,000,000 for fiscal year 1997;
- "(D) \$160,000,000 for fiscal year 1998;
- "(E) \$165,000,000 for fiscal year 1999; and
- "(F) \$174,000,000 for fiscal year 2000."

**CHAPTER 3—SAFETY FOR WOMEN IN PUBLIC TRANSIT  
AND PUBLIC PARKS**

**SEC. 40131. GRANTS FOR CAPITAL IMPROVEMENTS TO PREVENT  
CRIME IN PUBLIC TRANSPORTATION.**

(a) **GENERAL PURPOSE.**—There is authorized to be appropriated not to exceed \$10,000,000, for the Secretary of Transportation (referred to in this section as the "Secretary") to make capital grants for the prevention of crime and to increase security in existing and future public transportation systems. None of the provisions of this Act may be construed to prohibit the financing of projects under this section where law enforcement responsibilities are vested in a local public body other than the grant applicant.

(b) **GRANTS FOR LIGHTING, CAMERA SURVEILLANCE, AND SECURITY PHONES.**—

(1) From the sums authorized for expenditure under this section for crime prevention, the Secretary is authorized to make grants and loans to States and local public bodies or agencies for the purpose of increasing the safety of public transportation by—

(A) increasing lighting within or adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages;

(B) increasing camera surveillance of areas within and adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages;

(C) providing emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages; or



"(1) to increase lighting within or adjacent to National Park System units;

"(2) to provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to National Park System units;

"(3) to increase security or law enforcement personnel within or adjacent to National Park System units; or

"(4) for any other project intended to increase the security and safety of National Park System units."

**SEC. 40133. GRANTS FOR CAPITAL IMPROVEMENTS TO PREVENT CRIME IN PUBLIC PARKS.**

Section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8) is amended by adding at the end the following new subsection:

**"(h) CAPITAL IMPROVEMENT AND OTHER PROJECTS TO REDUCE CRIME.—**

**"(1) AVAILABILITY OF FUNDS.—**In addition to assistance for planning projects, and in addition to the projects identified in subsection (e), and from amounts appropriated out of the Violent Crime Reduction Trust Fund, the Secretary may provide financial assistance to the States, not to exceed \$15,000,000, for projects or combinations thereof for the purpose of making capital improvements and other measures to increase safety in urban parks and recreation areas, including funds to—

**"(A) increase lighting within or adjacent to public parks and recreation areas;**

**"(B) provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to public parks and recreation areas;**

**"(C) increase security personnel within or adjacent to public parks and recreation areas; and**

**"(D) fund any other project intended to increase the security and safety of public parks and recreation areas.**

**"(2) ELIGIBILITY.—**In addition to the requirements for project approval imposed by this section, eligibility for assistance under this subsection shall be dependent upon a showing of need. In providing funds under this subsection, the Secretary shall give priority to projects proposed for urban parks and recreation areas with the highest rates of crime and, in particular, to urban parks and recreation areas with the highest rates of sexual assault.

**"(3) FEDERAL SHARE.—**Notwithstanding subsection (c), the Secretary may provide 70 percent improvement grants for projects undertaken by any State for the purposes described in this subsection, and the remaining share of the cost shall be borne by the State."

**CHAPTER 4—NEW EVIDENTIARY RULES**

**SEC. 40141. SEXUAL HISTORY IN CRIMINAL AND CIVIL CASES.**

**(a) MODIFICATION OF PROPOSED AMENDMENT.—**The proposed amendments to the Federal Rules of Evidence that are embraced by an order entered by the Supreme Court of the United States on April 29, 1994, shall take effect on December 1, 1994, as otherwise provided by law, but with the amendment made by subsection (b).



CHAPTER 5—ASSISTANCE TO VICTIMS OF SEXUAL  
ASSAULT

SEC. 40151. EDUCATION AND PREVENTION GRANTS TO REDUCE SEX-  
UAL ASSAULTS AGAINST WOMEN.

Part A of title XIX of the Public Health and Human Services Act (42 U.S.C. 300w et seq.) is amended by adding at the end the following new section:

“SEC. 1910A. USE OF ALLOTMENTS FOR RAPE PREVENTION EDU-  
CATION.

“(a) **PERMITTED USE.**—Notwithstanding section 1904(a)(1), amounts transferred by the State for use under this part may be used for rape prevention and education programs conducted by rape crisis centers or similar nongovernmental nonprofit entities for—

- “(1) educational seminars;
- “(2) the operation of hotlines;
- “(3) training programs for professionals;
- “(4) the preparation of informational materials; and
- “(5) other efforts to increase awareness of the facts about, or to help prevent, sexual assault, including efforts to increase awareness in underserved racial, ethnic, and language minority communities.

“(b) **TARGETING OF EDUCATION PROGRAMS.**—States providing grant monies must ensure that at least 25 percent of the monies are devoted to education programs targeted for middle school, junior high school, and high school students.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

- “(1) \$35,000,000 for fiscal year 1996;
- “(2) \$35,000,000 for fiscal year 1997;
- “(3) \$45,000,000 for fiscal year 1998;
- “(4) \$45,000,000 for fiscal year 1999; and
- “(5) \$45,000,000 for fiscal year 2000.

“(d) **LIMITATION.**—Funds authorized under this section may only be used for providing rape prevention and education programs.

“(e) **DEFINITION.**—For purposes of this section, the term ‘rape prevention and education’ includes education and prevention efforts directed at offenses committed by offenders who are not known to the victim as well as offenders who are known to the victim.

“(f) **TERMS.**—The Secretary shall make allotments to each State on the basis of the population of the State, and subject to the conditions provided in this section and sections 1904 through 1909.”

SEC. 40152. TRAINING PROGRAMS.

(a) **IN GENERAL.**—The Attorney General, after consultation with victim advocates and individuals who have expertise in treating sex offenders, shall establish criteria and develop training programs to assist probation and parole officers and other personnel who work with released sex offenders in the areas of—

- (1) case management;
- (2) supervision; and
- (3) relapse prevention.

(b) **TRAINING PROGRAMS.**—The Attorney General shall ensure, to the extent practicable, that training programs developed under



(c) REVIEW OF FEDERAL EVIDENTIARY RULES.—The Judicial Conference of the United States shall evaluate and report to Congress its views on whether the Federal Rules of Evidence should be amended, and if so, how they should be amended, to guarantee that the confidentiality of communications between sexual assault victims and their therapists or trained counselors will be adequately protected in Federal court proceedings.

**SEC. 40154. INFORMATION PROGRAMS.**

The Attorney General shall compile information regarding sex offender treatment programs and ensure that information regarding community treatment programs in the community into which a convicted sex offender is released is made available to each person serving a sentence of imprisonment in a Federal penal or correctional institution for a commission of an offense under chapter 109A of title 18, United States Code, or for the commission of a similar offense, including halfway houses and psychiatric institutions.

**SEC. 40155. EDUCATION AND PREVENTION GRANTS TO REDUCE SEXUAL ABUSE OF RUNAWAY, HOMELESS, AND STREET YOUTH.**

Part A of the Runaway and Homeless Youth Act (42 U.S.C. 5711 et seq.) is amended—

- (1) by redesignating sections 316 and 317 as sections 317 and 318, respectively; and
- (2) by inserting after section 315 the following new section:

**"GRANTS FOR PREVENTION OF SEXUAL ABUSE AND EXPLOITATION**

**"SEC. 316. (a) IN GENERAL.**—The Secretary shall make grants under this section to private, nonprofit agencies for street-based outreach and education, including treatment, counseling, provision of information, and referral for runaway, homeless, and street youth who have been subjected to or are at risk of being subjected to sexual abuse.

**"(b) PRIORITY.**—In selecting among applicants for grants under subsection (a), the Secretary shall give priority to agencies that have experience in providing services to runaway, homeless, and street youth.

**"(c) AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

- "(1) \$7,000,000 for fiscal year 1996;
- "(2) \$8,000,000 for fiscal year 1997; and
- "(3) \$15,000,000 for fiscal year 1998.

**"(d) DEFINITIONS.**—For the purposes of this section—

"(1) the term 'street-based outreach and education' includes education and prevention efforts directed at offenses committed by offenders who are not known to the victim as well as offenders who are known to the victim; and

"(2) the term 'street youth' means a juvenile who spends a significant amount of time on the street or in other areas of exposure to encounters that may lead to sexual abuse."

**SEC. 40156. VICTIMS OF CHILD ABUSE PROGRAMS.**

(a) COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.—



and the Director determines that there is in effect in the State";

(iii) in paragraph (2) by striking "such State law shall meet" and inserting "the applicant certifies and the Director determines that State law meets";

(iv) by inserting "and" after subparagraph (E);

(v) in paragraph (3)—

(I) by inserting "the Director determines that" before "the application"; and

(II) by striking "; and" and inserting a period;

(vi) by striking paragraph (4);

(vii) by striking "Each application" and inserting

the following:

"(b) Each application"; and

(viii) by striking "the Bureau" each place it appears and inserting "the Director"; and

(B) by redesignating subsection (b) as subsection (c) and by striking "The Bureau" and inserting "The Director";

(5) by striking section 1405 (42 U.S.C. 3796aa-4);

(6) in section 1406 (42 U.S.C. 3796aa-5)—

(A) in subsection (a)—

(i) by striking "State which" and inserting "State or unit of local government that";

(ii) by striking "title" and inserting "part"; and

(iii) in paragraph (1) by striking "State"; and

(B) in subsection (b)(1) by striking "such State" and inserting "the State and units of local government in the State";

(7) in section 1407 (42 U.S.C. 3796aa-6)—

(A) in subsection (c)—

(i) by striking "Each State" and all that follows through "effective audit" and inserting "Grant recipients (or private organizations with which grant recipients have contracted to provide equipment or training using grant funds) shall keep such records as the Director may require by rule to facilitate such an audit"; and

(ii) in paragraph (2) by striking "States which receive grants, and of units of local government which receive any part of a grant made under this part" and inserting "grant recipients (or private organizations with which grant recipients have contracted to provide equipment or training using grant funds)"; and

(B) by adding at the end the following new subsection:

"(d) UTILIZATION OF PRIVATE SECTOR.—Nothing in this part shall prohibit the utilization of any grant funds to contract with a private organization to provide equipment or training for the televising of testimony as contemplated by the application submitted by an applicant";

(8) by striking section 1408 (42 U.S.C. 3796aa-7); and

(9) in the table of contents—

(A) in the item relating to section 1405 by striking "Allocation and distribution of funds under formula grants" and inserting "(Repealed)"; and

(B) in the item relating to section 1408 by striking "State office" and inserting "(Repealed)".



"(D) a plan for publicizing the availability of the hotline;

"(E) a plan for providing service to non-English speaking callers, including hotline personnel who speak Spanish; and

"(F) a plan for facilitating access to the hotline by persons with hearing impairments;

"(3) demonstrate that the applicant has nationally recognized expertise in the area of domestic violence and a record of high quality service to victims of domestic violence, including a demonstration of support from advocacy groups, such as domestic violence State coalitions or recognized national domestic violence groups;

"(4) demonstrates that the applicant has a commitment to diversity, and to the provision of services to ethnic, racial, and non-English speaking minorities, in addition to older individuals and individuals with disabilities; and

"(5) contain such other information as the Secretary may require.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

"(A) \$1,000,000 for fiscal year 1995;

"(B) \$400,000 for fiscal year 1996;

"(C) \$400,000 for fiscal year 1997;

"(D) \$400,000 for fiscal year 1998;

"(E) \$400,000 for fiscal year 1999; and

"(F) \$400,000 for fiscal year 2000.

"(2) AVAILABILITY.—Funds authorized to be appropriated under paragraph (1) shall remain available until expended."

## CHAPTER 2—INTERSTATE ENFORCEMENT

### SEC. 40221. INTERSTATE ENFORCEMENT.

(a) IN GENERAL.—Part 1 of title 18, United States Code, is amended by inserting after chapter 110 the following new chapter:

#### "CHAPTER 110A—DOMESTIC VIOLENCE

"Sec. 2261. Interstate domestic violence.

"Sec. 2262. Interstate violation of protection order.

"Sec. 2263. Pretrial release of defendant.

"Sec. 2264. Restitution.

"Sec. 2265. Full faith and credit given to protection orders.

"Sec. 2266. Definitions.

#### "§ 2261. Interstate domestic violence

"(a) OFFENSES.—

"(1) CROSSING A STATE LINE.—A person who travels across a State line or enters or leaves Indian country with the intent to injure, harass, or intimidate that person's spouse or intimate partner, and who, in the course of or as a result of such travel, intentionally commits a crime of violence and thereby causes bodily injury to such spouse or intimate partner, shall be punished as provided in subsection (b).

"(2) CAUSING THE CROSSING OF A STATE LINE.—A person who causes a spouse or intimate partner to cross a State line or to enter or leave Indian country by force, coercion,



in the special maritime and territorial jurisdiction of the United States or in a Federal prison); and

"(5) for not more than 5 years, in any other case, or both fined and imprisoned.

**"§ 2263. Pretrial release of defendant**

"In any proceeding pursuant to section 3142 for the purpose of determining whether a defendant charged under this chapter shall be released pending trial, or for the purpose of determining conditions of such release, the alleged victim shall be given an opportunity to be heard regarding the danger posed by the defendant.

**"§ 2264. Restitution**

"(a) IN GENERAL.—Notwithstanding section 3663, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

"(b) SCOPE AND NATURE OF ORDER.—

"(1) DIRECTIONS.—The order of restitution under this section shall direct that—

"(A) the defendant pay to the victim (through the appropriate court mechanism) the full amount of the victim's losses as determined by the court, pursuant to paragraph (3); and

"(B) the United States Attorney enforce the restitution order by all available and reasonable means.

"(2) ENFORCEMENT BY VICTIM.—An order of restitution also may be enforced by a victim named in the order to receive the restitution in the same manner as a judgment in a civil action.

"(3) DEFINITION.—For purposes of this subsection, the term 'full amount of the victim's losses' includes any costs incurred by the victim for—

"(A) medical services relating to physical, psychiatric, or psychological care;

"(B) physical and occupational therapy or rehabilitation;

"(C) necessary transportation, temporary housing, and child care expenses;

"(D) lost income;

"(E) attorneys' fees, plus any costs incurred in obtaining a civil protection order; and

"(F) any other losses suffered by the victim as a proximate result of the offense.

"(4) ORDER MANDATORY.—(A) The issuance of a restitution order under this section is mandatory.

"(B) A court may not decline to issue an order under this section because of—

"(i) the economic circumstances of the defendant; or

"(ii) the fact that a victim has, or is entitled to, receive compensation for his or her injuries from the proceeds of insurance or any other source.

"(C)(i) Notwithstanding subparagraph (A), the court may take into account the economic circumstances of the defendant in determining the manner in which and the schedule according to which the restitution is to be paid.



ness of the defendant's failure to comply, and any other circumstances that may have a bearing on the defendant's ability to comply.

"(c) **AFFIDAVIT.**—Within 60 days after conviction and, in any event, not later than 10 days before sentencing, the United States Attorney (or such Attorney's delegate), after consulting with the victim, shall prepare and file an affidavit with the court listing the amounts subject to restitution under this section. The affidavit shall be signed by the United States Attorney (or the delegate) and the victim. Should the victim object to any of the information included in the affidavit, the United States Attorney (or the delegate) shall advise the victim that the victim may file a separate affidavit and assist the victim in the preparation of the affidavit.

"(d) **OBJECTION.**—If, after the defendant has been notified of the affidavit, no objection is raised by the defendant, the amounts attested to in the affidavit filed pursuant to subsection (a) shall be entered in the court's restitution order. If objection is raised, the court may require the victim or the United States Attorney (or the United States Attorney's delegate) to submit further affidavits or other supporting documents, demonstrating the victim's losses.

"(e) **ADDITIONAL DOCUMENTATION AND TESTIMONY.**—If the court concludes, after reviewing the supporting documentation and considering the defendant's objections, that there is a substantial reason for doubting the authenticity or veracity of the records submitted, the court may require additional documentation or hear testimony on those questions. The privacy of any records filed, or testimony heard, pursuant to this section, shall be maintained to the greatest extent possible, and such records may be filed or testimony heard in camera.

"(f) **FINAL DETERMINATION OF LOSSES.**—If the victim's losses are not ascertainable 10 days before sentencing as provided in subsection (c), the United States Attorney (or the United States Attorney's delegate) shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing. If the victim subsequently discovers further losses, the victim shall have 90 days after discovery of those losses in which to petition the court for an amended restitution order. Such order may be granted only upon a showing of good cause for the failure to include such losses in the initial claim for restitutionary relief.

"(g) **RESTITUTION IN ADDITION TO PUNISHMENT.**—An award of restitution to the victim of an offense under this chapter is not a substitute for imposition of punishment under this chapter.

#### "§ 2265. Full faith and credit given to protection orders

"(a) **FULL FAITH AND CREDIT.**—Any protection order issued that is consistent with subsection (b) of this section by the court of one State or Indian tribe (the issuing State or Indian tribe) shall be accorded full faith and credit by the court of another State or Indian tribe (the enforcing State or Indian tribe) and enforced as if it were the order of the enforcing State or tribe.

"(b) **PROTECTION ORDER.**—A protection order issued by a State or tribal court is consistent with this subsection if—

"(1) such court has jurisdiction over the parties and matter under the law of such State or Indian tribe; and



### CHAPTER 3—ARREST POLICIES IN DOMESTIC VIOLENCE CASES

#### SEC. 40231. ENCOURAGING ARREST POLICIES.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended by section 40121(a), is amended—

- (1) by redesignating part U as part V;
- (2) by redesignating section 2101 as section 2201; and
- (3) by inserting after part T the following new part:

#### “PART U—GRANTS TO ENCOURAGE ARREST POLICIES

##### “SEC. 2101. GRANTS.

“(a) PURPOSE.—The purpose of this part is to encourage States, Indian tribal governments, and units of local government to treat domestic violence as a serious violation of criminal law.

“(b) GRANT AUTHORITY.—The Attorney General may make grants to eligible States, Indian tribal governments, or units of local government for the following purposes:

“(1) To implement mandatory arrest or proarrest programs and policies in police departments, including mandatory arrest programs and policies for protection order violations.

“(2) To develop policies and training in police departments to improve tracking of cases involving domestic violence.

“(3) To centralize and coordinate police enforcement, prosecution, or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, or judges.

“(4) To coordinate computer tracking systems to ensure communication between police, prosecutors, and both criminal and family courts.

“(5) To strengthen legal advocacy service programs for victims of domestic violence.

“(6) To educate judges in criminal and other courts about domestic violence and to improve judicial handling of such cases.

“(c) ELIGIBILITY.—Eligible grantees are States, Indian tribal governments, or units of local government that—

“(1) certify that their laws or official policies—

“(A) encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed; and

“(B) encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protection order;

“(2) demonstrate that their laws, policies, or practices and their training programs discourage dual arrests of offender and victim;

“(3) certify that their laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and



monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the eligible State, Indian tribal government, or unit of local government that receives a grant under this part; and

"(2) the term 'protection order' includes any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary and final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a pendente lite order in another proceeding."

(b) **TECHNICAL AMENDMENT.**—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended by section 40121(b), is amended by striking the matter relating to part U and inserting the following:

**"PART U—GRANTS TO ENCOURAGE ARREST POLICIES**

"Sec. 2101. Grants.

"Sec. 2102. Applications.

"Sec. 2103. Reports.

"Sec. 2104. Regulations or guidelines.

"Sec. 2105. Definitions.

**"PART V—TRANSITION—EFFECTIVE DATE—REPEALER**

"Sec. 2201. Continuation of rules, authorities, and proceedings."

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793), as amended by section 40121(c), is amended—

(1) in paragraph (3) by striking "and T" and inserting "T, and U"; and

(2) by adding at the end the following new paragraph:

"(19) There are authorized to be appropriated to carry out part U—

"(A) \$28,000,000 for fiscal year 1996;

"(B) \$33,000,000 for fiscal year 1997; and

"(C) \$59,000,000 for fiscal year 1998.

(d) **ADMINISTRATIVE PROVISIONS.**—

(1) **REGULATIONS.**—Section 801(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3782(b)), is amended by striking "and O" and inserting "O, and U".

(2) **DENIAL OF APPLICATION.**—Section 802(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3783 (b)) is amended in the first sentence by striking "or O" and inserting "O, or U".

**CHAPTER 4—SHELTER GRANTS**

**SEC. 40241. GRANTS FOR BATTERED WOMEN'S SHELTERS.**

Section 310(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(a)) is amended to read as follows:

"(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this title—

"(1) \$50,000,000 for fiscal year 1996;

"(2) \$60,000,000 for fiscal year 1997;

"(3) \$70,000,000 for fiscal year 1998;

"(4) \$72,500,000 for fiscal year 1999; and

"(5) \$72,500,000 for fiscal year 2000."



"(F) human service entities such as State child services divisions;

"(G) business and civic leaders; and

"(H) other pertinent sectors.

"(c) APPLICATIONS.—An organization that desires to receive a grant under this section shall submit to the Secretary an application, in such form and in such manner as the Secretary shall prescribe through notice in the Federal Register, that—

"(1) demonstrates that the applicant will serve a community leadership function, bringing together opinion leaders from each sector of the community to develop a coordinated community consensus opposing domestic violence;

"(2) demonstrates a community action component to improve and expand current intervention and prevention strategies through increased communication and coordination among all affected sectors;

"(3) includes a complete description of the applicant's plan for the establishment and operation of the community project, including a description of—

"(A) the method for identification and selection of an administrative committee made up of persons knowledgeable in domestic violence to oversee the project, hire staff, assure compliance with the project outline, and secure annual evaluation of the project;

"(B) the method for identification and selection of project staff and a project evaluator;

"(C) the method for identification and selection of a project council consisting of representatives of the community sectors listed in subsection (b)(2);

"(D) the method for identification and selection of a steering committee consisting of representatives of the various community sectors who will chair subcommittees of the project council focusing on each of the sectors; and

"(E) a plan for developing outreach and public education campaigns regarding domestic violence; and

"(4) contains such other information, agreements, and assurances as the Secretary may require.

"(d) TERM.—A grant provided under this section may extend over a period of not more than 3 fiscal years.

"(e) CONDITIONS ON PAYMENT.—Payments under a grant under this section shall be subject to—

"(1) annual approval by the Secretary; and

"(2) availability of appropriations.

"(f) GEOGRAPHICAL DISPERSION.—The Secretary shall award grants under this section to organizations in communities geographically dispersed throughout the country.

"(g) USE OF GRANT MONIES.—

"(1) IN GENERAL.—A grant made under subsection (a) shall be used to establish and operate a community project to coordinate intervention and prevention of domestic violence.

"(2) REQUIREMENTS.—In establishing and operating a project, a nonprofit private organization shall—

"(A) establish protocols to improve and expand domestic violence intervention and prevention strategies among all affected sectors;



(A) by striking the period at the end of paragraph (6) and inserting ", including the issuance and enforcement of protection orders."; and

(B) by adding at the end the following new paragraph:

"(7) Providing technical assistance and training to State domestic violence coalitions."

(c) STATE DOMESTIC VIOLENCE COALITIONS.—Section 311(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10410(a)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5);

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following new paragraph:

"(1) working with local domestic violence programs and providers of direct services to encourage appropriate responses to domestic violence within the State, including—

"(A) training and technical assistance for local programs and professionals working with victims of domestic violence;

"(B) planning and conducting State needs assessments and planning for comprehensive services;

"(C) serving as an information clearinghouse and resource center for the State; and

"(D) collaborating with other governmental systems which affect battered women;";

(3) in paragraph (2)(K), as redesignated by paragraph (1), by striking "and court officials and other professionals" and inserting "judges, court officers and other criminal justice professionals,";

(4) in paragraph (3), as redesignated by paragraph (1)—

(A) by inserting ", criminal court judges," after "family law judges," each place it appears;

(B) in subparagraph (F), by inserting "custody" after "temporary"; and

(C) in subparagraph (H), by striking "supervised visitations that do not endanger victims and their children," and inserting "supervised visitations or denial of visitation to protect against danger to victims or their children"; and

(5) in paragraph (4), as redesignated by paragraph (1), by inserting ", including information aimed at underserved racial, ethnic or language-minority populations" before the semicolon.

## **CHAPTER 8—CONFIDENTIALITY FOR ABUSED PERSONS**

### **SEC. 40281. CONFIDENTIALITY OF ABUSED PERSON'S ADDRESS.**

(a) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the United States Postal Service shall promulgate regulations to secure the confidentiality of domestic violence shelters and abused persons' addresses.

(b) REQUIREMENTS.—The regulations under subsection (a) shall require—

(1) in the case of an individual, the presentation to an appropriate postal official of a valid, outstanding protection order; and



to victims of domestic violence. The final report shall set forth the views of the persons consulted on the recommendations.

(c) **REPORT.**—The Attorney General shall ensure that no later than 1 year after the date of enactment of this Act, the study required under subsection (a) is completed and a report describing the findings made is submitted to the Committees on the Judiciary of the Senate and the House of Representatives.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$200,000 for fiscal year 1996.

**SEC. 40293. NUMBER AND COST OF INJURIES.**

(a) **STUDY.**—The Secretary of Health and Human Services, acting through the Centers for Disease Control Injury Control Division, shall conduct a study to obtain a national projection of the incidence of injuries resulting from domestic violence, the cost of injuries to health care facilities, and recommend health care strategies for reducing the incidence and cost of such injuries.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—\$100,000 for fiscal year 1996.

**CHAPTER 10—RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT**

**SEC. 40295. RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE.**

(a) **GRANTS.**—The Attorney General may make grants to States, Indian tribal governments, and local governments of rural States, and to other public or private entities of rural States—

(1) to implement, expand, and establish cooperative efforts and projects between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence and child abuse;

(2) to provide treatment and counseling to victims of domestic violence and child abuse; and

(3) to work in cooperation with the community to develop education and prevention strategies directed toward such issues.

(b) **DEFINITIONS.**—In this section—

“Indian tribe” means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“rural State” has the meaning stated in section 1501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796bb(B)).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to carry out this section—

(A) \$7,000,000 for fiscal year 1996;

(B) \$8,000,000 for fiscal year 1997; and

(C) \$15,000,000 for fiscal year 1998.



onstrated, by a preponderance of the evidence, to be motivated by gender (within the meaning of subsection (d)).

(2) **NO PRIOR CRIMINAL ACTION.**—Nothing in this section requires a prior criminal complaint, prosecution, or conviction to establish the elements of a cause of action under subsection (c).

(3) **CONCURRENT JURISDICTION.**—The Federal and State courts shall have concurrent jurisdiction over actions brought pursuant to this subtitle.

(4) **SUPPLEMENTAL JURISDICTION.**—Neither section 1367 of title 28, United States Code, nor subsection (c) of this section shall be construed, by reason of a claim arising under such subsection, to confer on the courts of the United States jurisdiction over any State law claim seeking the establishment of a divorce, alimony, equitable distribution of marital property, or child custody decree.

(5) **LIMITATION ON REMOVAL.**—Section 1445 of title 28, United States Code, is amended by adding at the end the following new subsection:

“(d) A civil action in any State court arising under section 40302 of the Violence Against Women Act of 1994 may not be removed to any district court of the United States.”.

**SEC. 40303. ATTORNEY'S FEES.**

Section 722 of the Revised Statutes (42 U.S.C. 1988) is amended in the last sentence—

(1) by striking “or” after “Public Law 92-318,”; and

(2) by inserting “, or section 40302 of the Violence Against Women Act of 1994,” after “1964”.

**SEC. 40304. SENSE OF THE SENATE CONCERNING PROTECTION OF THE PRIVACY OF RAPE VICTIMS.**

It is the sense of the Senate that news media, law enforcement officers, and other persons should exercise restraint and respect a rape victim's privacy by not disclosing the victim's identity to the general public or facilitating such disclosure without the consent of the victim.

## **Subtitle D—Equal Justice for Women in the Courts Act**

**SEC. 40401. SHORT TITLE.**

This subtitle may be cited as the “Equal Justice for Women in the Courts Act of 1994”.

### **CHAPTER 1—EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL IN STATE COURTS**

**SEC. 40411. GRANTS AUTHORIZED.**

The State Justice Institute may award grants for the purpose of developing, testing, presenting, and disseminating model programs to be used by States (as defined in section 202 of the State Justice Institute Act of 1984 (42 U.S.C. 10701)) in training judges and court personnel in the laws of the States and by Indian tribes in training tribal judges and court personnel in the laws



personnel, and the legitimate reasons why victims of domestic violence may refuse to testify against a defendant;

(18) the need for orders of protection, and the implications of mutual orders of protection, dual arrest policies, and mediation in domestic violence cases; and

(19) recognition of and response to gender-motivated crimes of violence other than rape, sexual assault and domestic violence, such as mass or serial murder motivated by the gender of the victims.

**SEC. 40413. COOPERATION IN DEVELOPING PROGRAMS IN MAKING GRANTS UNDER THIS TITLE.**

The State Justice Institute shall ensure that model programs carried out pursuant to grants made under this subtitle are developed with the participation of law enforcement officials, public and private nonprofit victim advocates, legal experts, prosecutors, defense attorneys, and recognized experts on gender bias in the courts.

**SEC. 40414. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this chapter \$600,000 for fiscal year 1996.

(b) **MODEL PROGRAMS.**—Of amounts appropriated under this section, the State Justice Institute shall expend not less than 40 percent on model programs regarding domestic violence and not less than 40 percent on model programs regarding rape and sexual assault.

**CHAPTER 2—EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL IN FEDERAL COURTS**

**SEC. 40421. AUTHORIZATIONS OF CIRCUIT STUDIES; EDUCATION AND TRAINING GRANTS.**

(a) **STUDIES.**—In order to gain a better understanding of the nature and the extent of gender bias in the Federal courts, the circuit judicial councils are encouraged to conduct studies of the instances, if any, of gender bias in their respective circuits and to implement recommended reforms.

(b) **MATTERS FOR EXAMINATION.**—The studies under subsection (a) may include an examination of the effects of gender on—

(1) the treatment of litigants, witnesses, attorneys, jurors, and judges in the courts, including before magistrate and bankruptcy judges;

(2) the interpretation and application of the law, both civil and criminal;

(3) treatment of defendants in criminal cases;

(4) treatment of victims of violent crimes in judicial proceedings;

(5) sentencing;

(6) sentencing alternatives and the nature of supervision of probation and parole;

(7) appointments to committees of the Judicial Conference and the courts;

(8) case management and court sponsored alternative dispute resolution programs;

(9) the selection, retention, promotion, and treatment of employees;



(3) by inserting after subparagraph (C) the following new subparagraph:

"(D) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;"

**SEC. 40503. PAYMENT OF COST OF TESTING FOR SEXUALLY TRANSMITTED DISEASES.**

(a) **FOR VICTIMS IN SEX OFFENSE CASES.**—Section 503(c)(7) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)(7)) is amended by adding at the end the following: "The Attorney General shall provide for the payment of the cost of up to 2 anonymous and confidential tests of the victim for sexually transmitted diseases, including HIV, gonorrhea, herpes, chlamydia, and syphilis, during the 12 months following sexual assaults that pose a risk of transmission, and the cost of a counseling session by a medically trained professional on the accuracy of such tests and the risk of transmission of sexually transmitted diseases to the victim as the result of the assault. A victim may waive anonymity and confidentiality of any tests paid for under this section."

(b) **LIMITED TESTING OF DEFENDANTS.**—

(1) **COURT ORDER.**—The victim of an offense of the type referred to in subsection (a) may obtain an order in the district court of the United States for the district in which charges are brought against the defendant charged with the offense, after notice to the defendant and an opportunity to be heard, requiring that the defendant be tested for the presence of the etiologic agent for acquired immune deficiency syndrome, and that the results of the test be communicated to the victim and the defendant. Any test result of the defendant given to the victim or the defendant must be accompanied by appropriate counseling.

(2) **SHOWING REQUIRED.**—To obtain an order under paragraph (1), the victim must demonstrate that—

(A) the defendant has been charged with the offense in a State or Federal court, and if the defendant has been arrested without a warrant, a probable cause determination has been made;

(B) the test for the etiologic agent for acquired immune deficiency syndrome is requested by the victim after appropriate counseling; and

(C) the test would provide information necessary for the health of the victim of the alleged offense and the court determines that the alleged conduct of the defendant created a risk of transmission, as determined by the Centers for Disease Control, of the etiologic agent for acquired immune deficiency syndrome to the victim.

(3) **FOLLOW-UP TESTING.**—The court may order follow-up tests and counseling under paragraph (b)(1) if the initial test was negative. Such follow-up tests and counseling shall be performed at the request of the victim on dates that occur six months and twelve months following the initial test.

(4) **TERMINATION OF TESTING REQUIREMENTS.**—An order for follow-up testing under paragraph (3) shall be terminated if the person obtains an acquittal on, or dismissal of, all charges of the type referred to in subsection (a).



the victim named in the order to receive the restitution or upon motion of the United States.

"(3) A defendant found to be delinquent may subsequently seek a written finding from the court that the defendant has rectified the delinquency or that the defendant has made and will make good faith efforts to rectify the delinquency. The defendant's eligibility for Federal benefits shall be reinstated upon receipt by the agency of a certified copy of such a finding.

"(4) In this subsection, 'Federal benefit' means a grant, contract, loan, professional license, or commercial license provided by an agency of the United States."

**SEC. 40506. NATIONAL BASELINE STUDY ON CAMPUS SEXUAL ASSAULT.**

(a) **STUDY.**—The Attorney General, in consultation with the Secretary of Education, shall provide for a national baseline study to examine the scope of the problem of campus sexual assaults and the effectiveness of institutional and legal policies in addressing such crimes and protecting victims. The Attorney General may utilize the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime in carrying out this section.

(b) **REPORT.**—Based on the study required by subsection (a) and data collected under the Student Right-To-Know and Campus Security Act (20 U.S.C. 1001 note; Public Law 101-542) and amendments made by that Act, the Attorney General shall prepare a report including an analysis of—

(1) the number of reported allegations and estimated number of unreported allegations of campus sexual assaults, and to whom the allegations are reported (including authorities of the educational institution, sexual assault victim service entities, and local criminal authorities);

(2) the number of campus sexual assault allegations reported to authorities of educational institutions which are reported to criminal authorities;

(3) the number of campus sexual assault allegations that result in criminal prosecution in comparison with the number of non-campus sexual assault allegations that result in criminal prosecution;

(4) Federal and State laws or regulations pertaining specifically to campus sexual assaults;

(5) the adequacy of policies and practices of educational institutions in addressing campus sexual assaults and protecting victims, including consideration of—

(A) the security measures in effect at educational institutions, such as utilization of campus police and security guards, control over access to grounds and buildings, supervision of student activities and student living arrangements, control over the consumption of alcohol by students, lighting, and the availability of escort services;

(B) the articulation and communication to students of the institution's policies concerning sexual assaults;

(C) policies and practices that may prevent or discourage the reporting of campus sexual assaults to local criminal authorities, or that may otherwise obstruct justice or interfere with the prosecution of perpetrators of campus sexual assaults;



the victim named in the order to receive the restitution or upon motion of the United States.

"(3) A defendant found to be delinquent may subsequently seek a written finding from the court that the defendant has rectified the delinquency or that the defendant has made and will make good faith efforts to rectify the delinquency. The defendant's eligibility for Federal benefits shall be reinstated upon receipt by the agency of a certified copy of such a finding.

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(1) the number of reported allegations and estimated number of unreported allegations of campus sexual assaults, and to whom the allegations are reported (including authorities of the educational institution, sexual assault victim service entities, and local criminal authorities);

(2) the number of campus sexual assault allegations reported to authorities of educational institutions which are reported to criminal authorities;

(3) the number of campus sexual assault allegations that result in criminal prosecution in comparison with the number of non-campus sexual assault allegations that result in criminal prosecution;

(4) Federal and State laws or regulations pertaining specifically to campus sexual assaults;

(5) the adequacy of policies and practices of educational institutions in addressing campus sexual assaults and protecting victims, including consideration of—

(A) the security measures in effect at educational institutions, such as utilization of campus police and security guards, control over access to grounds and buildings, supervision of student activities and student living arrangements, control over the consumption of alcohol by students, lighting, and the availability of escort services;

(B) the articulation and communication to students of the institution's policies concerning sexual assaults;

(C) policies and practices that may prevent or discourage the reporting of campus sexual assaults to local criminal authorities, or that may otherwise obstruct justice or interfere with the prosecution of perpetrators of campus sexual assaults;



(3) an assessment by State, tribal, and Federal judges, prosecutors, and defense attorneys of the effects that evidence of battered women's syndrome may have in criminal trials.

**SEC. 40608. REPORT ON CONFIDENTIALITY OF ADDRESSES FOR VICTIMS OF DOMESTIC VIOLENCE.**

(a) **REPORT.**—The Attorney General shall conduct a study of the means by which abusive spouses may obtain information concerning the addresses or locations of estranged or former spouses, notwithstanding the desire of the victims to have such information withheld to avoid further exposure to abuse. Based on the study, the Attorney General shall transmit a report to Congress including—

(1) the findings of the study concerning the means by which information concerning the addresses or locations of abused spouses may be obtained by abusers; and

(2) analysis of the feasibility of creating effective means of protecting the confidentiality of information concerning the addresses and locations of abused spouses to protect such persons from exposure to further abuse while preserving access to such information for legitimate purposes.

(b) **USE OF COMPONENTS.**—The Attorney General may use the National Institute of Justice and the Office for Victims of Crime in carrying out this section.

**SEC. 40609. REPORT ON RECORDKEEPING RELATING TO DOMESTIC VIOLENCE.**

Not later than 1 year after the date of enactment of this Act, the Attorney General shall complete a study of, and shall submit to Congress a report and recommendations on, problems of recordkeeping of criminal complaints involving domestic violence. The study and report shall examine—

(1) the efforts that have been made by the Department of Justice, including the Federal Bureau of Investigation, to collect statistics on domestic violence; and

(2) the feasibility of requiring that the relationship between an offender and victim be reported in Federal records of crimes of aggravated assault, rape, and other violent crimes.

## **Subtitle F—National Stalker and Domestic Violence Reduction**

**SEC. 40601. AUTHORIZING ACCESS TO FEDERAL CRIMINAL INFORMATION DATABASES.**

(a) **ACCESS AND ENTRY.**—Section 534 of title 28, United States Code, is amended by adding at the end the following:

“(e)(1) Information from national crime information databases consisting of identification records, criminal history records, protection orders, and wanted person records may be disseminated to civil or criminal courts for use in domestic violence or stalking cases. Nothing in this subsection shall be construed to permit access to such records for any other purpose.

“(2) Federal and State criminal justice agencies authorized to enter information into criminal information databases may include—



- (1) the need for grant funds and that State or local funding, as the case may be, does not already cover these operations;
- (2) intended use of the grant funds, including a plan of action to increase record input; and
- (3) an estimate of expected results from the use of the grant funds.

**SEC. 40605. DISBURSEMENT.**

Not later than 90 days after the receipt of an application under this subtitle, the Attorney General shall either provide grant funds or shall inform the applicant why grant funds are not being provided.

**SEC. 40606. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATIONS.**

The Attorney General may provide technical assistance and training in furtherance of the purposes of this subtitle, and may provide for the evaluation of programs that receive funds under this subtitle, in addition to any evaluation requirements that the Attorney General may prescribe for grantees. The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, or through contracts or other arrangements with other entities.

**SEC. 40607. TRAINING PROGRAMS FOR JUDGES.**

The State Justice Institute, after consultation with nationally recognized nonprofit organizations with expertise in stalking and domestic violence cases, shall conduct training programs for State (as defined in section 202 of the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701)) and Indian tribal judges to ensure that a judge issuing an order in a stalking or domestic violence case has all available criminal history and other information, whether from State or Federal sources.

**SEC. 40608. RECOMMENDATIONS ON INTRASTATE COMMUNICATION.**

The State Justice Institute, after consultation with nationally recognized nonprofit associations with expertise in data sharing among criminal justice agencies and familiarity with the issues raised in stalking and domestic violence cases, shall recommend proposals regarding how State courts may increase intrastate communication between civil and criminal courts.

**SEC. 40609. INCLUSION IN NATIONAL INCIDENT-BASED REPORTING SYSTEM.**

Not later than 2 years after the date of enactment of this Act, the Attorney General, in accordance with the States, shall compile data regarding domestic violence and intimidation (including stalking) as part of the National Incident-Based Reporting System (NIBRS).

**SEC. 40610. REPORT TO CONGRESS.**

The Attorney General shall submit to the Congress an annual report, beginning one year after the date of the enactment of this Act, that provides information concerning the incidence of stalking and domestic violence, and evaluates the effectiveness of State antistalking efforts and legislation.

**SEC. 40611. DEFINITIONS.**

As used in this subtitle—



"(II) the alien is a person whose deportation, in the opinion of the Attorney General, would result in extreme hardship to the alien.";

(2) in subparagraph (B)—

(A) by inserting "(i)" after "(B)"; and

(B) by adding at the end the following new clauses:

"(ii) An alien who is the spouse of an alien lawfully admitted for permanent residence, who is a person of good moral character, who is eligible for classification under section 203(a)(2)(A), and who has resided in the United States with the alien's legal permanent resident spouse may file a petition with the Attorney General under this subparagraph for classification of the alien (and any child of the alien if such a child has not been classified under clause (iii)) under such section if the alien demonstrates to the Attorney General that the conditions described in subclauses (I) and (II) of subparagraph (A)(iii) are met with respect to the alien.

"(iii) An alien who is the child of an alien lawfully admitted for permanent residence, who is a person of good moral character, who is eligible for classification under section 203(a)(2)(A), and who has resided in the United States with the alien's permanent resident alien parent may file a petition with the Attorney General under this subparagraph for classification of the alien under such section if the alien demonstrates to the Attorney General that—

"(I) the alien is residing in the United States and during the period of residence with the permanent resident parent the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien's permanent resident parent; and

"(II) the alien is a person whose deportation, in the opinion of the Attorney General, would result in extreme hardship to the alien."; and

(3) by adding at the end the following new subparagraph:

"(H) In acting on petitions filed under clause (iii) or (iv) of subparagraph (A) or clause (ii) or (iii) of subparagraph (B), the Attorney General shall consider any credible evidence relevant to the petition. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Attorney General."

(b) CONFORMING AMENDMENTS.—(1) Section 204(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(2)) is amended—

(A) in subparagraph (A) by striking "filed by an alien who," and inserting "for the classification of the spouse of an alien if the alien,"; and

(B) in subparagraph (B) by striking "by an alien whose prior marriage" and inserting "for the classification of the spouse of an alien if the prior marriage of the alien".

(2) Section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) is amended by striking "204(a)(1)(A)" and inserting "204(a)(1)(A)(ii)".

(c) SURVIVAL RIGHTS TO PETITION.—Section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is amended by adding at the end the following new subsection:

"(h) The legal termination of a marriage may not be the sole basis for revocation under section 205 of a petition filed under subsection (a)(1)(A)(iii) or a petition filed under subsection (a)(1)(B)(ii) pursuant to conditions described in subsection (a)(1)(A)(iii)(I)."



PUBLIC LAW 113-4—MAR. 7, 2013

**VIOLENCE AGAINST WOMEN  
REAUTHORIZATION ACT OF 2013**



Public Law 113–4  
113th Congress

An Act

Mar. 7, 2013  
[S. 47]

Violence Against  
Women  
Reauthorization  
Act of 2013.  
42 USC 13701  
note.

To reauthorize the Violence Against Women Act of 1994.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Violence Against Women  
Reauthorization Act of 2013”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.
- Sec. 4. Effective date.

**TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO  
COMBAT VIOLENCE AGAINST WOMEN**

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.

**TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

- Sec. 201. Sexual assault services program.
- Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and  
child abuse enforcement assistance.
- Sec. 203. Training and services to end violence against women with disabilities  
grants.
- Sec. 204. Enhanced training and services to end abuse in later life.

**TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF  
VIOLENCE**

- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education for chil-  
dren and youth.
- Sec. 303. Grants to combat violent crimes on campuses.
- Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking  
education and prevention.

**TITLE IV—VIOLENCE REDUCTION PRACTICES**

- Sec. 401. Study conducted by the centers for disease control and prevention.



Sec. 402. Saving money and reducing tragedies through prevention grants.

**TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

**TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

**TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE**

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

**TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS**

Sec. 801. U nonimmigrant definition.

Sec. 802. Annual report on immigration applications made by victims of abuse.

Sec. 803. Protection for children of VAWA self-petitioners.

Sec. 804. Public charge.

Sec. 805. Requirements applicable to U visas.

Sec. 806. Hardship waivers.

Sec. 807. Protections for a fiancée or fiancé of a citizen.

Sec. 808. Regulation of international marriage brokers.

Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

Sec. 810. Disclosure of information for national security purposes.

**TITLE IX—SAFETY FOR INDIAN WOMEN**

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Consultation.

Sec. 904. Tribal jurisdiction over crimes of domestic violence.

Sec. 905. Tribal protection orders.

Sec. 906. Amendments to the Federal assault statute.

Sec. 907. Analysis and research on violence against Indian women.

Sec. 908. Effective dates; pilot project.

Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.

Sec. 910. Special rule for the State of Alaska.

**TITLE X—SAFER ACT**

Sec. 1001. Short title.

Sec. 1002. Debbie Smith grants for auditing sexual assault evidence backlogs.

Sec. 1003. Reports to Congress.

Sec. 1004. Reducing the rape kit backlog.

Sec. 1005. Oversight and accountability.

Sec. 1006. Sunset.

**TITLE XI—OTHER MATTERS**

Sec. 1101. Sexual abuse in custodial settings.

Sec. 1102. Anonymous online harassment.

Sec. 1103. Stalker database.

Sec. 1104. Federal victim assistants reauthorization.

Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

**TITLE XII—TRAFFICKING VICTIMS PROTECTION**

**Subtitle A—Combating International Trafficking in Persons**

Sec. 1201. Regional strategies for combating trafficking in persons.

Sec. 1202. Partnerships against significant trafficking in persons.

Sec. 1203. Protection and assistance for victims of trafficking.



- Sec. 1204. Minimum standards for the elimination of trafficking.
- Sec. 1205. Best practices in trafficking in persons eradication.
- Sec. 1206. Protections for domestic workers and other nonimmigrants.
- Sec. 1207. Prevention of child marriage.
- Sec. 1208. Child soldiers.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

- Sec. 1211. Criminal trafficking offenses.
- Sec. 1212. Civil remedies; clarifying definition.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

- Sec. 1221. Protections for trafficking victims who cooperate with law enforcement.
- Sec. 1222. Protection against fraud in foreign labor contracting.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

- Sec. 1231. Reporting requirements for the Attorney General.
- Sec. 1232. Reporting requirements for the Secretary of Labor.
- Sec. 1233. Information sharing to combat child labor and slave labor.
- Sec. 1234. Government training efforts to include the Department of Labor.
- Sec. 1235. GAO report on the use of foreign labor contractors.
- Sec. 1236. Accountability.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

- Sec. 1241. Assistance for domestic minor sex trafficking victims.
- Sec. 1242. Expanding local law enforcement grants for investigations and prosecutions of trafficking.
- Sec. 1243. Model State criminal law protection for child trafficking victims and survivors.

Subtitle C—Authorization of Appropriations

- Sec. 1251. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.
- Sec. 1252. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

Subtitle D—Unaccompanied Alien Children

- Sec. 1261. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.
- Sec. 1262. Appointment of child advocates for unaccompanied minors.
- Sec. 1263. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.
- Sec. 1264. GAO study of the effectiveness of border screenings.

**SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.**

(a) **DEFINITIONS.**—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

- (1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);
- (2) by redesignating—
  - (A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;
  - (B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;
  - (C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;
  - (D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;
  - (E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;
  - (F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;



(G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).”;

(4) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(5) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (5), as redesignated, the following:

“(6) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g))).

“(7) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.”;

(7) in paragraph (8), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) HOMELESS.—The term ‘homeless’ has the meaning provided in section 41403(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “governmental victim services programs”;

(10) in paragraph (19), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by inserting after paragraph (19), as redesignated, the following:

“(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and



“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

“(21) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(22) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(12) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(13) by inserting after paragraph (24), as redesignated, the following:

“(25) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(15) in paragraph (27), as redesignated—

(A) by striking “52” and inserting “57”; and

(B) by striking “150,000” and inserting “250,000”;

(16) by inserting after paragraph (27), as redesignated, the following:

“(28) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(29) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(17) by inserting after paragraph (34), as redesignated, the following:

“(35) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—



“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.”;

(18) by inserting after paragraph (38), as redesignated, the following:

“(39) **UNDERSERVED POPULATIONS.**—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

“(40) **UNIT OF LOCAL GOVERNMENT.**—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”; and

(19) by inserting after paragraph (42), as redesignated, the following:

“(43) **VICTIM SERVICE PROVIDER.**—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

“(44) **VICTIM SERVICES OR SERVICES.**—The terms ‘victim services’ and ‘services’ mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(45) **YOUTH.**—The term ‘youth’ means a person who is 11 to 24 years old.”.

(b) **GRANTS CONDITIONS.**—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:



“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.”; and



(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following: “Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

Reports.  
Public  
information.  
Web posting.



“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) CONFERRAL.—

“(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

Deadline.

“(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

Public  
information.  
Web posting.

“(ii) is made available to the public on the Office on Violence Against Women’s website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

Time periods.  
Effective date.

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

Determination.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized



grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

“(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

Public  
information.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any



individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”

18 USC 2261  
note.

#### SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

## TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COM- BAT VIOLENCE AGAINST WOMEN

#### SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2014 through 2018”;



- (2) in section 2001(b) (42 U.S.C. 3796gg(b))—
- (A) in the matter preceding paragraph (1)—
- (i) by striking “equipment” and inserting “resources”; and
- (ii) by inserting “for the protection and safety of victims,” after “women,”;
- (B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;
- (C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;
- (D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;
- (E) in paragraph (4)—
- (i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and
- (ii) by inserting “, classifying,” after “identifying”;
- (F) in paragraph (5)—
- (i) by inserting “and legal assistance” after “victim services”;
- (ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”; and
- (iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;
- (G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;
- (H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;
- (I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;
- (J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;
- (K) in paragraph (12), as redesignated by subparagraph (G)—
- (i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”; and
- (ii) by striking “and” at the end;



(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

“(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “nonprofit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

Plans.  
Consultation.



“(B) the State domestic violence coalition;  
 “(C) the law enforcement entities within the State;  
 “(D) prosecution offices;  
 “(E) State and local courts;  
 “(F) Tribal governments in those States with State or federally recognized Indian tribes;  
 “(G) representatives from underserved populations, including culturally specific populations;  
 “(H) victim service providers;  
 “(I) population specific organizations; and  
 “(J) other entities that the State or the Attorney General identifies as needed for the planning process;”;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors;”; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;



“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed



to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)”;

(4) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”; Notification.

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement. Compliance.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal, withdrawal” after “registration,” each place it appears;

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and



(C) by striking “victim of domestic violence” and all that follows through “sexual assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

**SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.**

(a) **IN GENERAL.**—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, staff from population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual



assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

(II) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(III) by inserting “dating violence,” after “victim of domestic violence,”; and

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;



(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”; and

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(viii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “nonprofit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.



(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2014 through 2018.”; and

(2) by striking the period that immediately follows another period.

**SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.**

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victims services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—”

“(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.”; and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.**

(a) **IN GENERAL.**—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386;



114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

42 USC 10420.

**“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.**

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;



“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

“(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

Certifications.



“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) **ALLOTMENT FOR INDIAN TRIBES.**—

“(1) **IN GENERAL.**—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg-10 of this title.

“(2) **APPLICABILITY OF PART.**—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

Repeal.

42 USC  
13701 note,  
14043-14043a-3.



**SEC. 105. SEX OFFENDER MANAGEMENT.**

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.**

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) **REPORTING.**—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

**SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.**

(a) **INTERSTATE DOMESTIC VIOLENCE.**—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) **STALKING.**—Section 2261A of title 18, United States Code, is amended to read as follows:

**“§ 2261A. Stalking**

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person;

or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A);

or



“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting “is present” after “Indian Country or”.

**SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.**

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

**“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.**

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or



“(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

Assessment.

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

Plans.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence



Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

Applicability.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

#### SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “AND LINGUISTICALLY”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

## TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

#### SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been



victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”; and

(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018”.

**SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.**

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence,



sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

**SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.**

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”;

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “nonprofit and non-governmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2014 through 2018”.

**SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.**

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

**“Subtitle H—Enhanced Training and Services To End Abuse Later in Life**

**“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.**

“(a) DEFINITIONS.—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—



“(A) **MANDATORY ACTIVITIES.**—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) **PERMISSIBLE ACTIVITIES.**—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) **WAIVER.**—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community. Determination.

“(D) **LIMITATION.**—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) **ELIGIBLE ENTITIES.**—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;



“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.”.

## **TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE**

### **SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.**

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”; and

(B) by adding at the end the following:

“(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.”.

### **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.**

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:



**“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH  
('CHOOSE CHILDREN & YOUTH').** 42 USC 14043c.

“(a) **GRANTS AUTHORIZED.**—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

“(b) **PROGRAM PURPOSES.**—Funds provided under this section may be used for the following program purpose areas:

“(1) **SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.**—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

“(2) **SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.**—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating



domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or



“(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

Procedures.

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

Applicability.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

### SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—



(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;”;

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2014 through 2018”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

Compliance.



“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.**

(a) **IN GENERAL.**—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “national origin, sexual orientation, gender identity.”; and

(II) by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”; and

Definitions.

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

Definition.

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”; and

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

Statistics.

(5) by striking paragraph (8) and inserting the following:



“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

Notifications.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (ii) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—



“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt, fair, and impartial investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided

Notification.



with a written explanation of the student or employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).";

(6) in paragraph (9), by striking "The Secretary" and inserting "The Secretary, in consultation with the Attorney General of the United States,";

(7) by striking paragraph (16) and inserting the following: "(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

"(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements."; and

(8) by striking paragraph (17) and inserting the following:

"(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection."

20 USC 1092  
note.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

## TITLE IV—VIOLENCE REDUCTION PRACTICES

### SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking "\$2,000,000 for each of the fiscal years 2007 through 2011" and inserting "\$1,000,000 for each of the fiscal years 2014 through 2018".

### SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) **SMART PREVENTION.**—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

#### "SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

Consultation.

"(a) **GRANTS AUTHORIZED.**—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses



on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—

To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or



“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

“(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context



of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply. Applicability.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).



**TITLE V—STRENGTHENING THE  
HEALTHCARE SYSTEM’S RESPONSE  
TO DOMESTIC VIOLENCE, DATING VI-  
OLENCE, SEXUAL ASSAULT, AND  
STALKING**

**SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE  
HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC  
VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND  
STALKING.**

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

**“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM’S  
RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, AND STALKING.**

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse,



and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient’s privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students



and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) REQUIREMENTS FOR GRANTEEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

Consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to



applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and



“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use



not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

## **TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VI- OLENCE, SEXUAL ASSAULT, AND STALKING**

### **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:



**“CHAPTER 1—GRANT PROGRAMS”;**

(2) in section 41402 (42 U.S.C. 14043e-1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e-2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”; and

(4) by adding at the end the following:

**“CHAPTER 2—HOUSING RIGHTS**

42 USC  
14043e-11.

**“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p-2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—



“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing



agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may

Deadline.



be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared



database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development



in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

Plans.

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

Time period.

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”

Applicability.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—



(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that:” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) **RULE OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low



income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

**SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”;

(B) in subsection (a)(1), by striking “fleeing”;

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and”;

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “employment counseling,”; and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2014 through 2018”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) **QUALIFIED APPLICATION DEFINED.**—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims.”.



**SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”.

## **TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE**

**SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.**

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

## **TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS**

**SEC. 801. U NONIMMIGRANT DEFINITION.**

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking,” after “sexual exploitation;”.

8 USC 1101 note.

**SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.**

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.



(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

**SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.**

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

- (1) in subparagraph (E), by striking “or” at the end;
- (2) by redesignating subparagraph (F) as subparagraph (G); and
- (3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

**SEC. 804. PUBLIC CHARGE.**

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

- “(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—
- “(i) is a VAWA self-petitioner;
  - “(ii) is an applicant for, or is granted, non-immigrant status under section 101(a)(15)(U); or
  - “(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

**SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.**

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464). 8 USC 1184 note.



**SEC. 806. HARDSHIP WAIVERS.**

(a) **IN GENERAL.**—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

(b) **TECHNICAL CORRECTIONS.**—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General’s” and inserting “The Secretary of Homeland Security, in the Secretary’s”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

**SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.**

(a) **IN GENERAL.**—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”;

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”; and

(ii) by striking “the officer” and inserting “the Secretary”; and

(C) in paragraph (3)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) by amending paragraph (4)(B)(ii) to read as follows:



“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and (3) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

Notification.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center’s Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

Background check.

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant’s attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.



**SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.****(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—****(1) FINDINGS.—**Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

**(2) REPORT.—**Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

**(b) TECHNICAL CORRECTION.—**Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.**(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—**Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

**“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—**

**“(A) IN GENERAL.—**An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

**“(B) COMPLIANCE.—**To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;



- (2) in paragraph (2)—  
    (A) in subparagraph (A)(i)—  
        (i) in the heading, by striking “REGISTRIES.—” and inserting “WEBSITE.—”; and  
        (ii) by striking “Registry or State sex offender public registry,” and inserting “Website,”; and  
    (B) in subparagraph (B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”;
- (3) in paragraph (3)—  
    (A) in subparagraph (A)—  
        (i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website”; and  
        (ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);”;
- (4) in paragraph (5)—  
    (A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;
- (B) by amending subparagraph (B) to read as follows:  
        “(B) FEDERAL CRIMINAL PENALTIES.—  
            “(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—  
                “(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or  
                “(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.  
            “(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.  
            “(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person



who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) ENFORCEMENT.—

“(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT.—” and inserting “STUDIES AND REPORTS.—”; and

(2) by adding at the end the following:

“(4) CONTINUING IMPACT STUDY AND REPORT.—

“(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).



“(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

**SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.**

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48 U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

**SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.**

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to



national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) **GUIDELINES.**—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting “, Secretary of State,” after “The Attorney General”;

(2) by inserting “, Department of State,” after “Department of Justice”; and

(3) by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

Deadline.  
Guidance.  
8 USC 1367 note.

(c) **IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

8 USC 1367.

(d) **CLERICAL AMENDMENT.**—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

## **TITLE IX—SAFETY FOR INDIAN WOMEN**

### **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.



**SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.**

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

“(d) TRIBAL COALITION GRANTS.—

“(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

“(A) increasing awareness of domestic violence and sexual assault against Indian women;

“(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

“(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

“(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

“(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

“(A) each tribal coalition that—

“(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(ii) is recognized by the Office on Violence Against Women; and

“(iii) provides services to Indian tribes; and

“(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

“(3) USE OF AMOUNTS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

“(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply; Applicability.

“(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

“(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

“(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.”.



**SEC. 903. CONSULTATION.**

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2013” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) **ANNUAL REPORT.**—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection

(b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

Deadline.

“(d) **NOTICE.**—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

**SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.**

Title II of Public Law 90-284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

25 USC 1304.

**“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.**

“(a) **DEFINITIONS.**—In this section:

“(1) **DATING VIOLENCE.**—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) **DOMESTIC VIOLENCE.**—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence



laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection



order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

“(3) the right to a trial by an impartial jury that is drawn from sources that—

“(A) reflect a fair cross section of the community; and

“(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

“(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(e) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.



“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.



**SEC. 905. TRIBAL PROTECTION ORDERS.**

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

**SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.**

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by



covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

#### SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2014 and 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

#### SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

25 USC 1304  
note.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe

Time period.



as a participating tribe under section 204(a) of Public Law 90-284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90-284.

Consultation.  
Deadline.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90-284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

**SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.**

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

Consultation.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

18 USC 2265  
note.  
Applicability.

**SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.**

(a) EXPANDED JURISDICTION.—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) RETAINED JURISDICTION.—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) SAVINGS PROVISION.—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.



**TITLE X—SAFER ACT**

Sexual Assault  
Forensic  
Evidence  
Reporting Act  
of 2013.  
Grants.  
42 USC 13701  
note.

**SEC. 1001. SHORT TITLE.**

This title may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2013” or the “SAFER Act of 2013”.

**SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.**

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”; and

(3) by adding at the end the following new subsections:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

“(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

“(B) shall—

“(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

Plans.

Deadline.



## Deadline.

“(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

“(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

“(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

“(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

“(iv) provide that—

“(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

“(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

## Compliance.

“(v) comply with all grantee reporting requirements described in paragraph (4).

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

“(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

“(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

“(i) The name of the State or unit of local government filing the report.

“(ii) The period of dates covered by the report.

“(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—



“(I) are in the possession of the State or unit of local government at the reporting period;

“(II) are awaiting testing; and

“(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

“(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

“(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

“(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

“(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

“(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

“(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website. Web posting.

“(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

“(E) OPTIONAL REPORTING.—The Attorney General shall—

“(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

“(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required



to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

“(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

“(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence,

Deadline.  
Consultation.  
Publication.



including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

“(A) how to determine—

“(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

“(ii) the preferred order in which evidence from the same case is to be tested; and

“(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

“(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

“(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

“(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

“(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITIONS.—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).”.

#### SEC. 1003. REPORTS TO CONGRESS.

42 USC 14135  
note.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

#### SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—



(a) in subparagraph (B), by striking “2014” and inserting “2018”; and

(b) by adding at the end the following:

“(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”.

42 USC 14135  
note.

**SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.**

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

Effective date.

(1) **AUDIT REQUIREMENT.**—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

Determination.

Time period.  
Effective date.

(2) **MANDATORY EXCLUSION.**—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

Time period.

(3) **PRIORITY.**—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

Time period.

(4) **REIMBURSEMENT.**—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

Time period.  
Effective date.

(5) **DEFINED TERM.**—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

(A) **DEFINITION.**—For purposes of this section and the grant programs described in this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) **PROHIBITION.**—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in off-shore accounts for the purpose of avoiding paying the tax



described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

Public  
information.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

Determination.

(i) require the grant recipient to repay the grant in full; and



(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

42 USC 14135  
note.  
Repeal.

**SEC. 1006. SUNSET.**

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

## TITLE XI—OTHER MATTERS

**SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

(a) **SUITS BY PRISONERS.**—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) **UNITED STATES AS DEFENDANT.**—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) **ADOPTION AND EFFECT OF NATIONAL STANDARDS.**—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and  
(2) by inserting after subsection (b) the following:

“(c) **APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) **APPLICABILITY.**—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) **COMPLIANCE.**—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) **CONSIDERATIONS.**—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) **DEFINITION.**—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

“(d) **APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—

Deadline.  
Publication.  
Regulations.

Assessment.



“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

Deadline.  
Publication.  
Regulation.

“(2) **APPLICABILITY.**—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) **COMPLIANCE.**—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

Assessment.

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) **CONSIDERATIONS.**—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

#### **SEC. 1102. ANONYMOUS ONLINE HARASSMENT.**

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking “annoy,”;

(2) in subparagraph (C)—

(A) by striking “annoy,”; and

(B) by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”; and

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

#### **SEC. 1103. STALKER DATABASE.**

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2014 through 2018.”.

#### **SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.**

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

#### **SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.**

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”.



## TITLE XII—TRAFFICKING VICTIMS PROTECTION

### Subtitle A—Combating International Trafficking in Persons

#### SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking “section 105(f) of this division” and inserting “subsection (g)”;

(2) in subsection (e)(2)—

(A) by striking “(2) COORDINATION OF CERTAIN ACTIVITIES.—” and all that follows through “exploitation.”;

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

Lists.

“(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.”.

#### SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

22 USC 7103a.

#### “SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

“(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

“(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

“(2) between foreign governments and civil society actors; and

“(3) between the United States Government and private sector entities.

“(b) PARTNERSHIPS.—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the



United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

“(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and

“(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

“(c) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

“(d) CHILD PROTECTION COMPACTS.—

“(1) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

Consultation.

“(A) prevent and respond to violence, exploitation, and abuse against children; and

“(B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

“(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe—

Plans.

“(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

“(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

“(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

“(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

“(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

“(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

“(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.



Consultation.

“(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or non-governmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

“(4) ELIGIBLE COUNTRIES.—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

“(A) the selection criteria set forth in paragraph (5); and

“(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

“(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

“(A) a documented high prevalence of trafficking in persons within the country; and

“(B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

“(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

“(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

“(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

“(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

“(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

Determination.

“(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).”

#### SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting “, and make reasonable efforts to distribute information to enable all relevant Federal Government agencies



to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

**SEC. 1204. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.**

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

(B) by striking “, and measures” and inserting “, a transparent system for remediating or punishing such public officials as a deterrent, measures”; and

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries” before the period at the end;

(3) in paragraph (7)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”; and

(C) by inserting “A government’s failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.” after “such trafficking.”;

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with—

“(A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“(B) the United States toward agreed goals and objectives in the collective fight against trafficking.”.

**SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.**

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—



(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include—” and inserting “describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—”;

(B) in subparagraph (E), by striking “; and” and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(D) by inserting at the end the following:

“(G) a section entitled ‘Promising Practices in the Eradication of Trafficking in Persons’ to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated, by adding at the end the following:

“(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.”.

Deadline.  
Determination.  
Web posting.

#### **SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NON-IMMIGRANTS.**

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “AND VIDEO FOR CONSULAR WAITING ROOMS” after “INFORMATION PAMPHLET”; and

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”; and

(ii) by adding at the end the following: “The video shall be distributed and shown in consular waiting rooms in embassies and consulates appropriate to the circumstances that are determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.”;



(2) in subsection (b), by inserting “and video” after “information pamphlet”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “and produce or dub the video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”;

(B) in paragraph (2), by inserting “and video” after “information pamphlet”; and

(C) by adding at the end the following:

“(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”.

#### SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

“(j) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

“(1) to prevent child marriage;

“(2) to promote the empowerment of girls at risk of child marriage in developing countries;

“(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

“(4) that targets areas in developing countries with high prevalence of child marriage; and

“(5) that includes diplomatic and programmatic initiatives.”.

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

“(g) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”; and

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

“(i) CHILD MARRIAGE STATUS.—



“(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”.

#### **SEC. 1208. CHILD SOLDIERS.**

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c-1) is amended—

(1) in subsection (a), by striking “(b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)” and inserting “(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)”;

(2) by adding at the end the following:

“(f) EXCEPTION FOR PEACEKEEPING OPERATIONS.—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.”.

## **Subtitle B—Combating Trafficking in Persons in the United States**

### **PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES**

#### **SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.**

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 1351 (relating to fraud in foreign labor contracting),” before “section 1425”.

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce”.

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

#### **“§ 1597. Unlawful conduct with respect to immigration documents**

“(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —



“(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

“(b) **PENALTY.**—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) **OBSTRUCTION.**—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

**SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.**

(a) **CIVIL REMEDY FOR PERSONAL INJURIES.**—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “section 2241(c)” and inserting “section 1589, 1590, 1591, 2241(c)”; and

(2) in subsection (b), by striking “six years” and inserting “10 years”.

(b) **DEFINITION.**—

(1) **IN GENERAL.**—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) **ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.**—The term ‘abuse or threatened abuse of the legal process’ means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.”;

(C) in paragraph (14), as redesignated, by striking “paragraph (8)” and inserting “paragraph (9)”; and

(D) in paragraph (15), as redesignated, by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(2) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(A) **TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking “section 103(7)(A)” and inserting “section 103(8)(A)”; and

(II) by striking “section 103(7)(B)” and inserting “section 103(8)(B)”; and

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking “section 103(8)(A)” and inserting “section 103(9)(A)”.



(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2006.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking “section 103(8)” and inserting “section 103(9)”;

(ii) in paragraph (2), by striking “section 103(9)” and inserting “section 103(10)”;

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

## **PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS**

### **SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.**

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III)) is amended by inserting “, or any adult or minor children of a derivative beneficiary of the alien, as” after “age”.

### **SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.**

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code),” after “perjury;”.

## **PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING**

### **SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.**

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time



while ensuring the safe and competent processing of the applications;

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

“(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

“(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

“(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

“(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

“(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”;

(3) in subparagraph (N)(iii), as redesignated, by striking “and” at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

“(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

“(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

“(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

“(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

“(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or



(U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

**SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.**

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”.

**SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.**

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

“(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).”.

**SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.**

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting “the Department of Labor, the Equal Employment Opportunity Commission,” before “and the Department”; and

(2) in the second sentence, by inserting “, in consultation with the Secretary of Labor,” before “shall provide”.

**SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.**

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—



- (A) the use of labor recruiters or brokers; or
- (B) directly recruiting foreign workers;
- (2) analyze the laws that protect such workers, both overseas and domestically;
- (3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and
- (4) identify any gaps that may exist in these protections; and
- (5) recommend possible actions for Federal departments and agencies to combat any abuses.
- (c) REQUIREMENTS.—The report under subsection (a) shall—
  - (1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;
  - (2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;
  - (3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;
  - (4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;
  - (5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and
  - (6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

Recommendation.

#### SEC. 1236. ACCOUNTABILITY.

22 USC 7113.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions:

Grants.

##### (1) AUDIT REQUIREMENT.—

Effective dates.  
Time periods.

(A) DEFINITION.—In this paragraph, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

Determination.



(C) MANDATORY EXCLUSION.—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) REIMBURSEMENT.—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this



title or an Act amended by this title, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether—

Effective date.

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

## **PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS**

### **SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.**

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

#### **“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.**

“(a) DEFINITIONS.—In this section:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

“(2) ASSISTANT ATTORNEY GENERAL.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.



“(3) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving sex trafficking of minors;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(i) building or establishing a residential care facility for minor victims of sex trafficking;

“(ii) the provision of rehabilitative care to minor victims of sex trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

“(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

“(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

“(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

“(4) **MINOR VICTIM OF SEX TRAFFICKING.**—The term ‘minor victim of sex trafficking’ means an individual who—

“(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

“(B)(i) is not younger than 18 years of age nor older than 20 years of age;

“(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

“(iii) was receiving shelter or services as a minor victim of sex trafficking.

“(5) **QUALIFIED NONGOVERNMENTAL ORGANIZATION.**—The term ‘qualified nongovernmental organization’ means an organization that—

“(A) is not a State or unit of local government, or an agency of a State or unit of local government;

“(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

“(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

“(6) **SEX TRAFFICKING OF A MINOR.**—The term ‘sex trafficking of a minor’ means an offense described in section 1591(a)



of title 18, United States Code, or a comparable State law, against a minor.

“(b) SEX TRAFFICKING BLOCK GRANTS.—

“(1) GRANTS AUTHORIZED.—

“(A) IN GENERAL.—The Assistant Attorney General, in Consultation. consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

“(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

“(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than \$1,500,000 and not greater than \$2,000,000.

“(D) DURATION.—

“(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

“(ii) RENEWAL.—

“(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

“(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified non-governmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;



“(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

“(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(3) APPLICATION.—

“(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

Contracts.

“(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

Time period.

“(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.



“(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

“(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

Deadline.  
Reports.

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”.

Recommendations.

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

Time period.  
42 USC 14044a  
note.

#### SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “, which involve United States citizens, or aliens admitted for permanent residence, and”;

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;” and



(D) in subparagraph (C), as redesignated, by inserting “and prioritize the investigations and prosecutions of those cases involving minor victims” after “sex acts”;

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.”;

(4) in subsection (e), as redesignated, by striking “\$20,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(5) by adding at the end the following:

Study. “(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

Recommendations.

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”.

#### **SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.**

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) protects children exploited through prostitution by including safe harbor provisions that—

“(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

“(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

“(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

“(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph.”.



## Subtitle C—Authorization of Appropriations

### SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAF- FICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking “\$2,000,000” and inserting “\$1,000,000”; and

(B) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking “\$5,500,000 for each of the fiscal years 2008 through 2011” each place it appears and inserting “\$2,000,000 for each of the fiscal years 2014 through 2017”; and

(ii) by inserting “, including regional trafficking in persons officers,” after “for additional personnel,”; and

(iii) by striking “, and \$3,000 for official reception and representation expenses”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “\$12,500,000 for each of the fiscal years 2008 through 2011” and inserting “\$14,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “to the Secretary of Health and Human Services” and all that follows and inserting “\$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017.”;

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking “2008 through 2011” each place it appears and inserting “2014 through 2017”; and

(ii) in subparagraph (B)—

(I) by striking “\$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(II) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(iii) in subparagraph (C), by striking “2008 through 2011” and inserting “2014 through 2017”;

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$11,000,000 for each of the fiscal years 2014 through 2017”; and

(iii) in paragraph (3), as redesignated, by striking “to the Attorney General” and all that follows and



inserting “\$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017.”;

(E) in subsection (e)—

(i) in paragraph (1), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”;

(F) in subsection (f), by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$5,000,000 for each of the fiscal years 2014 through 2017”; and

(G) in subsection (i), by striking “\$18,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”.

**SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.**

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164) is amended—

22 USC 7105.  
42 USC 14044.

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking “\$1,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$250,000 for each of the fiscal years 2014 through 2017”.

## **Subtitle D—Unaccompanied Alien Children**

**SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.**

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking “Subject to” and inserting the following:

“(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to”; and

(2) by adding at the end the following:

“(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien’s danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien’s need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.”.



**SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.**

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(2) by striking “and criminal”; and

(3) by adding at the end the following:

“(B) APPOINTMENT OF CHILD ADVOCATES.—

“(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children. Deadline.

“(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites. Deadline.

“(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

“(I) the largest number of unaccompanied alien children; and

“(II) the most vulnerable populations of unaccompanied children.

“(C) RESTRICTIONS.—

“(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more than 10 percent of the Federal funds received under this section for administrative expenses.

“(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

“(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

“(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken



by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

Study.

“(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

“(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

Evaluation.

“(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

“(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

“(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

“(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

“(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

Recommendation.

“(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

“(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

“(I) the Committee on the Judiciary of the Senate;

“(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Education and the Workforce of the House of Representatives.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

“(i) \$1,000,000 for each of the fiscal years 2014 and 2015; and

“(ii) \$2,000,000 for each of the fiscal years 2016 and 2017.”.



**SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED  
REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA  
RECIPIENTS.**

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

- (1) in subparagraph (A),
  - (A) by striking “either”;
  - (B) by striking “or who” and inserting a comma; and
  - (C) by inserting “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible”;
- and
- (2) in subparagraph (B), by inserting “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” after “(8 U.S.C. 1101(a)(27)(J))”.

**SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER  
SCREENINGS.**

**(a) STUDY.—**

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) **STUDY.**—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.



(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

Determination.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

Approved March 7, 2013.

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LEGISLATIVE HISTORY—S. 47:

CONGRESSIONAL RECORD, Vol. 159 (2013):

Feb. 7, 11, 12, considered and passed Senate.

Feb. 28, considered and passed House.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2013):

Mar. 7, Presidential remarks.



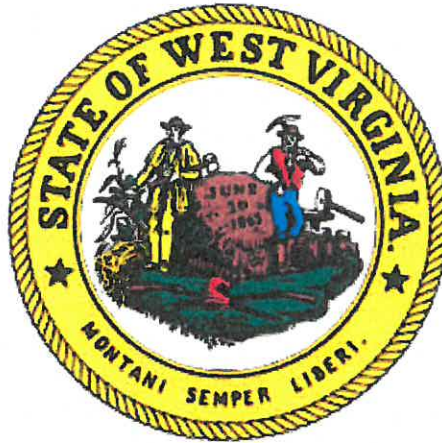


**APPENDIX B**

**STOP VAWA Implementation Plan**



WEST VIRGINIA  
STOP VAWA and VICTIM SERVICES  
Four Year Implementation Plan  
2017-2020



Jim Justice, Governor

Department of Military Affairs and Public Safety  
West Virginia Division of Justice and Community Services  
1124 Smith Street, Suite 3100  
Charleston, West Virginia 25301

West Virginians Against Violence Committee  
West Virginia STOP Violence Against Women Collaborative Committee



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## **ACKNOWLEDGEMENTS**

The West Virginia Division of Justice and Community Services is pleased to provide criminal justice professionals and advocates throughout the state with a four-year plan to assist in combating violent crime but especially aiding domestic violence, sexual assault, dating violence, and stalking victims with STOP VAWA funds in their communities. This plan could not have been completed without the collaboration and efforts of many dedicated agencies and individuals.

The STOP Violence Against Women Act (VAWA) Collaborative Committee members (See Appendix A for a list of members) were instrumental in the planning and the development of this four-year plan; as well as the continuation of reviewing and revising the state's STOP VAWA and Victim Services Implementation Plan. The VAWA Collaborative Committee meets three to four times a year to discuss issues and improve services to victims of domestic violence, sexual assault, stalking, and dating violence.

The West Virginians Against Violence Committee has demonstrated continuing commitment to stopping violence against women and working to provide services to all victims of crime including victims of domestic violence, sexual assault, stalking, and dating violence in West Virginia. Their leadership role in this area has contributed significantly to this four-year plan. A list of the Committee membership can be found in the Appendix C.

Appreciation is offered to the non-profit agencies, the criminal justice system agencies and individuals who participated in the Focus Group meetings and surveys. The focus groups consisted of, but were not limited to individuals from non-profit, non-governmental domestic violence programs, rape crisis centers, cultural specific programs, counseling and victim services in dating violence, stalking, and faith-based agencies, the West Virginia Foundation for Rape Information and Services and the West Virginia Coalition Against Domestic Violence. A list of focus group participants can be found in Appendix A.

Recognition should be given to the project directors and VOCA and STOP-funded staff of the local sub-grantee programs for their continued cooperation, collaboration, and diligent work related to responding to victims of crime, but especially those victims of domestic violence, sexual assault, dating violence, and stalking crimes in West Virginia.

## **Introduction:**

The West Virginia Division of Justice and Community Services (WVDJCS) is the State administering agency for the Services, Training, Officers, Prosecutors Violence Against Women Act Formula Grant (S.T.O.P. VAWA) Program, the Victim of Crime Act (VOCA) Victim Assistance Formula Grant Program and the Sexual Assault Service Program (SASP) Formula Grant. From the collaborative effort of the West Virginians Against Violence Committee, the VAWA Collaboration Group, sub-grantees and community agencies the following plan has been



developed. West Virginia's four-year Implementation Plan strives to build upon previous years' projects and accomplishments and provide effective approaches for increasing safety and services to victims of domestic violence, dating violence, sexual assault and stalking crimes. In addition to building on the past STOP VAWA Implementation Plan, the 2017-2020 plan will incorporate VOCA and SASP in priorities and goals and objectives of this plan with the knowledge that these funding sources have different funding guidelines and that these guidelines will be strictly followed. In addition, this plan will coordinate and collaborate with the Family Violence Prevention and Services Act Program (FVSPA) and the Public Health Service Act (Rape Prevention Education) administering agencies in providing services without duplication and help to improve coordination of services and collaboration throughout West Virginia. WVDJCS recognizes that the Plan for the most part addresses the VAWA crimes, but as domestic violence, sexual assault, dating violence and stalking are crimes also addressed under VOCA and SASP, it is relevant in part to those grants as well.

In order to provide quality services, training, and to effect change in West Virginia, WVDJCS in coordination with the WV Foundation for Rape and Information Services (WVFRIS) whose board members include all nine Sexual Assault/Rape Crisis Center's directors in the state, and the West Virginia Coalition Against Domestic Violence (WVCADV), whose board members include the fourteen-licensed domestic violence shelter directors throughout the state. Other partners include, but are not limited to, the West Virginians Against Violence Committee, the United States Attorneys' Offices (Southern and Northern Districts), Faith-based agencies, Cultural-Specific Organizations, the West Virginia State Police, the West Virginia Supreme Court of Appeals, and the West Virginia Crime Victim Compensation Office.

The Implementation Plan was approved by the State on April 21, 2017. The 2017-2020 Implementation Plan will be implemented with the start of funding of Federal Fiscal Year 2017 STOP Violence Against Women Act Formula Grant funds, which WVDJCS receives in October 2017 and will be reviewed annually and updated if needed until October 2020.

### **Description of Planning Process:**

The process for development of this plan began with the first meeting of the STOP VAWA Collaboration Committee. This group was comprised of individuals from the West Virginia Domestic Violence Coalition, the West Virginia Sexual Assault Coalition, the WV Department of Health and Human Resources, the Family Protection Services Board, and the West Virginia Division of Justice and Community Services. The STOP VAWA Collaboration Committee met on August 29, 2016 and again on November 7, 2016. The purpose of the meetings was to review the current plan and provide the foundation for the planning process by identifying who should be invited to attend the focus meeting planned for January 12, 2017, develop questions for a survey and questions for the implementation plan focus group meeting, and begin discussing issues concerning the criminal justice system's response to domestic violence, sexual assault, dating violence, stalking crimes, and how to incorporate VOCA and SASP as part of this plan.

An Implementation Plan Focus group meeting was held on January 12, 2017 to develop the new STOP Violence Against Women and Victim Services Implementation Plan. In addition to gathering information from the participants relevant to the Implementation Plan, focus questions



were discussed at the meeting and mailed to all STOP VAWA and VOCA sub-grantees who could not attend the focus group meeting to complete and return to WVDJCS staff. All STOP Team Members and sub-grantees were also requested to participate and complete an on-line survey (For a list of questions, refer to Appendix E).

## **Participation: Assessment Survey:**

An assessment survey was developed and sent to all STOP VAWA, VOCA, and SASP sub-grantees. It was also sent to all fifty-five county prosecutors and sheriff departments, the WV Child Advocacy Network (WVCAN), all child advocacy centers, and the Advisory Committees that work in coordination with the West Virginia Coalition Against Domestic Violence (WVCADV). The two advisory boards which the WVCADV work with are:

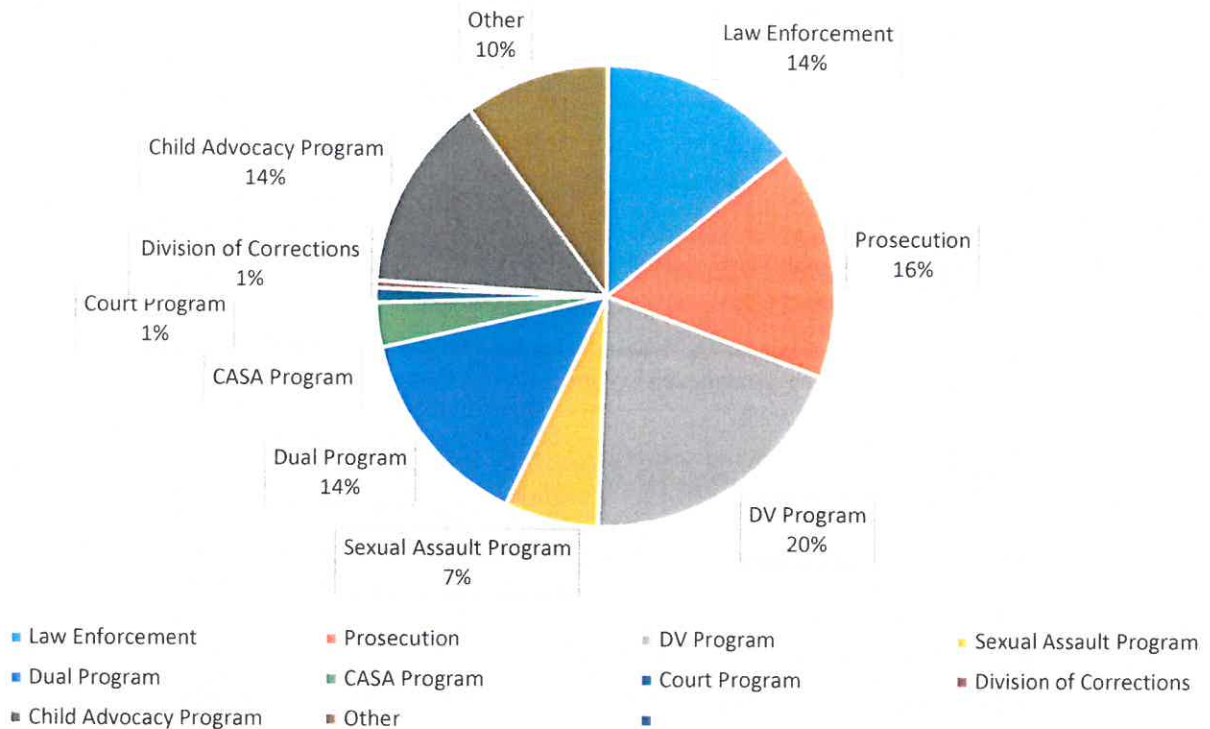
- ↳ Advocacy of Color Network
- ↳ The Rainbow Justice League (LGBTQ)

The WVCADV staff also met with the Advocacy of Color Network and received feedback on what is working; what is not working, and is needed to improve delivery of services. Below are those responses:

What is Working	What is NOT Working	What Do We Need to Do?
<ul style="list-style-type: none"> <li>• WVCADV support-ACN/initiatives &amp; cultural specific projects (i.e. WOCN)</li> <li>• DV Shelters/Programs availability</li> <li>• DV Advocates –Civil Legal Assistance</li> <li>• DV Court</li> <li>• Education of Advocates-Cultural Awareness</li> <li>• VAWA-financial Empowerment</li> </ul> <p>Reflection of answering this question – the Advocacy of Color Network had a problem with identifying what is working.</p>	<ul style="list-style-type: none"> <li>• Awareness –We are not aware of any “By and For” programs in WV</li> <li>• Finances toward culturally specific-minimal to none</li> <li>• Implementation-grant language is not reflective of what is actually happening.</li> <li>• Lack of cultural awareness.</li> <li>• Diversity of advocates does not reflect victims.</li> <li>• Apathy- refusal to acknowledge cultural dynamics</li> <li>• Cultural assumptions – assuming (1) person of color is the spokes-person-know everything about that group-tokenism</li> <li>• Decision makers need to be more diverse</li> </ul>	<ul style="list-style-type: none"> <li>• Network</li> <li>• Fundraise</li> <li>• Community Mobilizing-local level – community members need to determine the need</li> <li>• Decision makers need to be more diverse (People of Color)</li> <li>• Support for marginalized communities to develop specific groups (licensing process)</li> <li>• Support in developing grant writing skills?</li> <li>• Programs to empower and teach (leadership series)</li> <li>• Financial Resources</li> <li>• Housing</li> <li>• Employment</li> <li>• Education/Training Programs</li> <li>• Communities of Faith</li> </ul>



**The agencies which participated in the assessment survey are:**



(See Appendix D for survey questions)

**Focus Group Meeting:**

The following are the agencies that were invited to participate in the focus meeting (See Appendix A for full list of participants and invitees):

1. State sexual assault coalition:  
West Virginia Foundation for Rape Information & Services
2. State domestic violence coalition:  
West Virginia Coalition Against Domestic Violence
3. Dual domestic violence and sexual assault program:  
Shenandoah Women's Center  
Family Refuge Center
4. Law enforcement entities:  
West Virginia State Police  
Morgantown Police Department  
Lewisburg Police Department  
Logan County Sheriff's Department
5. Prosecution entities:  
West Virginia Prosecuting Attorney's Institute  
Monongalia County Prosecuting Attorney



- Ohio County Prosecuting Attorney
6. State and local courts:
    - West Virginia Supreme Court of Appeals
  7. Tribal governments (in states with state or federally recognized tribes) N/A
  8. Representatives from underserved populations, including culturally specific populations:
    - Greenbrier County Community on Aging
    - Northern West Virginia Center for Independent Living
  9. Victim service providers:
    - CONTACT of Huntington- Rape Crisis Center
    - Branches Domestic Violence Shelter– Domestic Violence Program
    - CHANGE Inc. – Domestic Violence Program
    - REACH –Rape Crisis Program
    - Shenandoah Women’s Center – Dual Program
    - Upshur County Prosecution-based Advocate
    - Putnam County Law Enforcement-based Advocate
    - YWCA Cultural Diversity Program
    - B.M.E.E.K – Cultural Diversity Advocate
    - Mineral County Court Appointed Special Advocate (CASA) Program
    - K.I.S.R.A – cultural specific agency
  10. Population specific organizations: N/A
  11. Other:
    - West Virginians Against Violence Committee Members
    - West Virginia Department of Health and Human Resources (FVPSA)
    - West Virginia Division of Justice and Community Services Staff
    - West Virginia Legal Aid
    - West Virginia Child Advocacy Network
    - Representative from the Family Protection Service Board (FPSB)
    - West Virginia Senior Legal Aid
    - Fairness WV
    - Representative from LGBT workgroup (Rainbow Justice League)

The West Virginia Department of Health and Human Resources, who administer the Family Violence Prevention and Services Act (FVPSA) grant, a member who is part of the Public Health Service Act; the Rape Prevention Education Board (the Rape Prevention Education Coordinator position is currently not filled), and the Victim of Crime Act Administrator, are members of the STOP VAWA Collaborative Committee as well as participants in the Focus Group Meeting to assist in developing and implementation of West Virginia’s state plan. They have been a part of the VAWA Collaborative since 2005.

Programs and participants emphasized that core services need to be maintained and if possible expanded to ensure all victims receive quality direct services.

## **Needs and Context:**

### **West Virginia Demographics:**



West Virginia is located in the Appalachian Region of the United States and is 24,230 square miles with an average of 76.5 persons per square mile. According to the 2010 US Census, West Virginia has a population of 1,852,994 residents, of which males account for 49.3% and females 50.7%. Of this total population, 53.9% live in rural areas. The median age in West Virginia is 41.3 with the elderly population that makes up 38.2% of the population (50 years old – 85 years old or older) (US Census Bureau, 2015 American Community Survey). The Population Reference Bureau ranks West Virginia third in the nation with 15.6% of its population being sixty-five or older. The US Census estimates that in July 2015 the population will be 1,884,128, of which 50.6% are female and 49.4% are male. These numbers may decrease in 2016 and 2017 due to the loss of jobs in the coal industry and people leaving the state for other jobs.

In looking at the racial and ethnic composition of the state, there is currently a disparity between races in West Virginia with the majority of residents identifying as white. The United States Census Bureau shows that 93.2% of the population in West Virginia is White, 3.4% Black or African American, 1.3% Hispanic or Latino, 0.7% Asian, and 0.2% Native American Indian (US Census Bureau, 2010). The US Census estimates that in 2015 the percent of the population that is White will be 93.9%; Black or African American will be 3.4%; American Indian will be 0.2%; Asian 0.7 %; and Hispanic or Latino 1.2%.

Currently five counties in West Virginia have 11% or more of their population who are people of color, two counties in West Virginia have 9-10% of their population who are people of color, and three counties have 7-8% of their population who are people of color. The counties which have 7%-11% or more people of color are as follows: Cabell, Summers, Mercer, McDowell, Monongalia, Berkeley, Jefferson, Gilmer, Kanawha, and Raleigh Counties. The results from the US Census 2015 survey indicate that there may be a small decrease in the diversity of the state's population, due to people moving away from West Virginia, thereby decreasing the diversity of those communities (US Census, 2015 American Fact Finder).

There are outreach offices or local programs in all the above referenced counties; however, because West Virginia is a very rural state, there are limited resources. Public transportation does not exist in some of these areas, and it is difficult for victims to receive the services they need. It is the goal of this Implementation Plan to continue to extend outreach and services to marginalized populations in the State.

According to the U.S. Census Bureau, 17.9% of the population in West Virginia has an income below the poverty level; of this population 9.4% of people 65 years or older are living below the poverty level; persons under the age of 18 who are below the poverty level is 25.4% of the population; 19.6% of females are living below the poverty level compared to 16.6% of males. The median household income is \$41,576 and the mean household income is \$53,889 (US Census Bureau, American Fact Finder). The Bureau of Labor Statistics reports that as of January 2017, West Virginia has an unemployment rate of 5.6%.

Of the total population in West Virginia, 85% who are twenty-five years or older have a high school diploma. Of West Virginia's total population, 19.2% of the population who are twenty-



five years old or older have a bachelor's degree or higher; 7.3% of the population who are 25 or older have a Graduate or professional degree (US Census Bureau 2015).

Grandparents who are responsible for their grandchildren make up 1.8% of the total population in West Virginia. Of the households in West Virginia, 11.4% are households who do not have a husband present and of these households 5.7% of these households have children who are under the age of eighteen (US Census Bureau, 2012 American Community Survey).

Of the total, non-institutionalized population of West Virginia, 19% reported having a disability, of which 5.6% are under the age of eighteen and 43.4% who are 65 years or older (US Census Bureau, 2015 American Community Survey). More than half (51.1%) of the residents are female; 15.4% are 65 years old or older and 23.5% have a disability. In West Virginia, close to one in every ten people aged 18 to 64 receive disability insurance from the Social Security Administration, more than three times the rate in states like Utah and Alaska. West Virginia has the highest rate in the nation (4.2%) of people who identify with hearing difficulties (Disability Statistics Annual Report, Institute on Disability/UCED, 2015).

### Problem Statement:

The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation states that, "Crime generates substantial costs to society at individual, community and national levels." Victim costs in the United States include medical care costs, lost earnings, and property loss or damage. Indirect cost to victims include physical pain and emotional suffering, a decrease in quality of life and long term psychological issues as a result of the trauma of the victimization. Predatory crimes produced the highest per offense cost to society with \$1.28 million per murder, \$41,247 per rape/sexual assault, \$21,398 per robbery and \$19,537 per aggravated assault (The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation). While the cost of crime is substantial, the traumatic effect it has on individuals is even more dramatic and have longer effects on their well-being, sense of safety, and quality of life.

According the Disaster Center, which is based on the Uniform Crime Reporting program, crime reports for West Virginia are as follows for 2013-2015:

Year	Violent	Property	Murder	Forcible rape	Robbery	Aggravated Assault	Burglary
2013	5,657	39,929	62	367	653	4,242	9,908
2014	5,850	38,282	84	417	655	4,517	9,368
2015	6,231	37,251	70	420	760	4,729	9,170

The VOCA annual report (reporting period October 1, 2015-September 30, 2016) shows the following activities were conducted at the sub-grantee level:

Activities conducted	Number
Total number of individuals who received services during the year	50,171
Number of new individuals who received services for the 1 <sup>st</sup> time	34,270
Number who received services, which presented with more than one type of victimization	7,025



The top five victimization types of individuals that received services under VOCA are:

<b>Victimization Type</b>	<b>Number of individuals receiving services</b>
Domestic and/or Family Violence	19, 807
Child Physical Abuse or Neglect	7,165
Adult Physical Assault (includes aggravated and simple assault)	6,475
Identity Theft/Fraud/Financial Crime	3,590
Child Sexual Abuse/Assault	3,050

Violence Against Women crimes which include dating violence, domestic violence, sexual assault, and stalking are crimes that affect families, individuals, and cross socioeconomic lines and systems. Intimate partner and family violence (domestic and dating violence) includes physical, sexual, and financial abuse, elder abuse, and neglect and maltreatment of children, which occurs throughout the country every day (National Intimate Partner and Sexual Violence Survey).

The 2015 STOP VAWA Annual Report (Reporting Period January 1, 2015- December 31, 2015), shows the following services were provided by 20 victim services programs:

<b>Type of Victimization</b>	<b>Number of victims receiving services</b>
Domestic Violence/Dating Violence	6,339
Sexual Assault	307
Stalking	87
<b>Secondary Victims Served</b>	<b>Number</b>
Domestic Violence/Dating Violence	395
Sexual Assault	57
Stalking	4

West Virginia code §48-27-101 states, “every person has a right to be safe and secure in his or her home and family and to be free from domestic violence.” Domestic violence or abuse in West Virginia is defined by §48-27-202 as the occurrence of one or more of the following acts between family or household members:

- “Attempting to cause or intentionally knowingly or recklessly causing physical harm to another with or without dangerous or deadly weapons;
- Placing another in reasonable apprehension of physical harm;
- Creating fear of physical harm by harassment; psychological abuse or threatening acts;
- Committing either sexual assault or sexual abuse...;
- Holding, confining, detaining or abducting another person against that person’s will.”

Sexual violence is defined as “any sexual act that is perpetrated against someone's will.” Sexual violence encompasses a range of offenses, including a completed nonconsensual sex act (i.e., rape), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and



non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal sexual harassment)." All types of sexual violence include victims who do not consent, who are unable to consent, or who refuse to allow the act (Centers for Disease Control and Prevention). The Rape Abuse & Incest National Network (RAINN) reports that sixty percent of sexual assaults are not reported to law enforcement and approximately two-thirds of sexual assaults are committed by someone known to the victim. Seventy percent of sexual violence/offenses occurred at a residence or home (WVFRIS).

Although the occurrence of rape and sexual assault is high, many offenders are not arrested or prosecuted. One factor that may contribute to low arrest rates is that some law enforcement officers believe victims falsely report rape and are not telling the truth. This may account for their unwillingness to make an arrest. The trauma that often occurs as a result of the sexual violence can affect a victim's memory and verbal skills, and cause behaviors that seem counter-intuitive to how people believe a victim should be responding to such trauma. These memory lapses and counter-intuitive behaviors are often interpreted by law enforcement and prosecution as lying. Prosecutors may also be reluctant to prosecute a rape or sexual assault case due to various other reasons, including the backlog of processing rape kits, alcohol and/or drug use by the victim during the commission of the crime, and the difficulty of proving a lack of consent. (Rape and Sexual Assault: A Renewed Call to Action. The White House Council on Women and Girls Report).

Stalking is defined as "a course of conduct directed at a specific person that would cause a reasonable person fear" by the National Center for Victims of Crime's Stalking Resource Center. It is suggested that stalking is a pattern of behavior and not a single isolated incident. West Virginia's law on stalking (WVSC §61-2-9a), addresses stalking as a separate act from harassment. To be charged with the crime of stalking, someone must repeatedly (on two or more occasions) follow another person, "knowingly or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress." To be charged with the crime of harassment, someone must repeatedly (two or more times) harass or make credible threats against another person.

In West Virginia, domestic violence, sexual assault, dating violence, and stalking crimes remain issues for victims of all ages, sex, gender, and cross social and economic boundaries. This plan will continue to address these issues and strengthen the criminal justice system's strategies to combat the violent crimes of domestic violence, sexual assault, dating violence, and stalking, and to support, enhance and expand services available to these victims and their families. It will also address other crimes such as property crimes, child abuse and neglect, murder, assault, and other crimes that will be addressed through Victim of Crime Act (VOCA) funding.

### **Dating Violence:**

According to national statistics, close to 1.5 million high school students nationwide experience physical abuse in a year; one in three adolescents in the United States are victims of physical, sexual, emotional or other types of teen violence. Specifically, one in ten high school students have been intentionally hit, slapped, or physically hurt by a boyfriend or girlfriend; while one quarter of high school girls have been victims of physical or sexual abuse. Only 33% of teens



who were in a violent relationship told anyone about the abuse; 81% of parents believe teen dating violence is not an issue or admit they didn't know if it is an issue. A teen's confusion about the law and their desire for confidentiality are two of the most significant barriers stopping them from seeking help or reporting the abuse. Dating violence is even more prevalent in universities and colleges with approximately 70% of college students say they have been sexually coerced. (loveisrespect.org).

West Virginia is one of the states that allows victims of dating violence to file for a protective order regardless of the nature of the relationship. However, while the law does allow the minor to file on their own, the practice in the court system is that the minor must currently have a guardian or a parent present when filing. West Virginia law at this time does not provide for a specific school response to dating violence (Break the Cycle, 2013 State Law Report Card). However, through the work of the Dating Violence Committee the *West Virginia Guideline for Schools: Responding to Dating Violence* has been developed and has been presented to some schools and we continue to work on having it as a guideline for all schools to use as a resource. There is an increased need for more dating violence prevention and information provided in the schools, and to have school officials' assistance in developing a healthy response to protect victims of dating violence. Many teen victims do not report violence to their parents or guardian because they are afraid; as a result, many remain in dangerous violent relationships (National Center for Injury Prevention and Control). The Youth Risk Behavior Survey done through the WV Department of Education is conducted annually in selected schools in West Virginia reports for the 2015 school year the following for high school students surveyed:

**Dating Violence:**

- 10.1% experienced physical dating violence in the past year

**Sexual Violence:**

- 10.0% had been physically forced to have sexual intercourse when they did not want to
- 9.0% experienced sexual dating violence in the past year

The 2015 WV STOP VAWA Annual Report numbers show that out of 3,469 domestic violence/dating violence victims served, 1,346 had a dating relationship with their offender. In addition, out of the 307 sexual assault victims served, 27 had a dating relationship with their offender; and out of the 87 stalking victims served, 11 had a dating relationship with their offender.

**Domestic Violence:**

Unlike most other crimes, intimate partner or domestic violence is usually not a sudden, isolated, and unexpected incident. Domestic violence can involve years of emotional and psychological trauma as well as, physical injuries that may become increasingly more severe and increase in frequency over time. Exposure to such violence has a devastating impact on all involved, including children living with and experiencing domestic violence as witnesses. Domestic violence has significant effects on the health and well-being of primary and secondary victims. They may suffer injuries such as broken bones, bruises, disfigurement, miscarriages and death.



In addition to the physical injuries the victims also experience emotional and psychological abuse such as anxiety, depression, low self-esteem, and suicidal thoughts. Domestic violence victims are also at risk for alcohol and substance abuse as a way to self-medicate or by a means of control utilized by the offender to control their victim(s) (Ann D. Carden, October 1994). Due to being subjected to serious repeated trauma, domestic violence victims may develop post-traumatic stress disorder (Dr. Leanne Walker).

West Virginia's geography and culture create unique difficulties in providing services to victims of domestic violence. With 53.95% of the state being rural, victims of domestic violence face unique problems, which include: (1) law enforcement officers who are reluctant to intervene, (2) lack of support to victims from churches, (3) physical isolation, including the absences of cell phone service and public transportation; (4) the resistance of local communities to acknowledge and confront the problem of domestic violence and (5) the lack of funding for services or resources in rural communities. Another issue is the lack of good investigation techniques, the failure of law enforcement in determining the predominate aggressor, and the collection of evidence which allows for prosecution without the victim or victim's cooperation (National Intimate Partner and Sexual Violence Survey).

The fourteen licensed domestic violence shelters and their outreach offices provide shelter services, advocacy, outreach services, and community education to all fifty-five counties. Between July 1, 2013 and June 30, 2014, an unduplicated total of 13,557 adults and 2,575 children received shelter and non-shelter services. Of those, a total of 1,193 victims received shelter services and 14,294 victims received non-shelter services. The fourteen licensed domestic violence shelters and their outreach offices assisted victims with filing 6,103 domestic violence petitions (Family Protection Services Board Annual Report FY 2015). On September 16, 2015, all fourteen licensed programs participated in the 2015 National Census of Domestic Violence Services and the information was reported as follows:

- ❖ 350 victims served in one day
  - 162 domestic violence victims (81 children and 81 adults) found refuge in emergency shelters or transitional housing provided by the programs
  - 18 adults and children received non-residential assistance and services, including counseling, legal advocacy, and children's support groups
  - 102 Hotline calls answered
- ❖ Unmet Requests for Services
  - 56% were for housing- many programs reported a critical shortage of funds and staff to assist victims in need of services. Cash assistance/financial assistance and rental assistance/utilities services were most in demand.
- ❖ Cause of Unmet Request for Help
  - 21% of programs reported government funding cuts
  - 21% of programs reported staffing cuts or reductions
  - 14% of programs reported reductions in private funding
  - 7% of programs reported fewer individual donations



- Across West Virginia 9 staff were eliminated in the past year and most (67%) of these positions were direct services such as shelter or legal advocates, so there were fewer advocates to answer calls for help.

The West Virginia Supreme Court reported that a total of 26,002 domestic violence cases were filed in either Magistrate or Family Court.

### **Lethality:**

In the United States in 2014, there were 1,613 females murdered by males in single victim/single offender incidents that were reported to the FBI for their Homicide Report. According to the Violence Policy Center "When Men Murder Women", West Virginia ranked 28<sup>th</sup> in the United States for females murdered by males in single victim/single offender homicides (Violence Policy Center When Men Murder Women, An Analysis of 2014 Homicide Data). The results of the Violence Policy Center research indicated the following:

- Homicides in which the victim to offender relationship could be identified, 93% of female victims were murdered by a male they knew
- 13 times as many females were murdered by a male they knew
- Homicides in which a weapon could be determined, more female homicides were committed with firearms (54%) than any other weapon, of these homicides committed with firearms, 69 % were committed with handguns

The WV State Police 2014 Uniform Crime Report states that 8,203 domestic violence investigations were reported. Of those investigations, there were 21 murders/non-negligent manslaughters, 1,393 aggravated assaults, 73 forcible rapes, 39 sexual assaults with an object, 5,166 simple assaults and 12 statutory rapes. The WV Supreme Court Fatality Review team has reviewed domestic violence related deaths. The case reviews reveal evidenced based indicators for lethal behavior (i.e. strangulation, threats with weapons, etc.), but professionals were not recognizing the indicators or heightening responses to provide increased safety for victims and accountability measures to decrease dangerousness of offenders. To address these issues, the Risk Assessment in Civil and Criminal Systems Committee (RACCS) developed a model four step process for 1) understanding the nature and context of domestic violence, 2) identifying evidenced based indicators for highly dangerous/potentially lethal behaviors of offenders, 3) when indicators are present, providing a heightened response to increase safety of victims and decrease dangerousness of offenders, and 4) coordinate heightened response across disciplines. The draft model statewide high risk assessment process, the "Dangerousness-Lethality Assessment Guide" (D-LAG) was presented to law enforcement, advocates, prosecutors, Magistrates, Family Court Judges, Circuit Court Judges, and Guardians ad Litem in a series of regional trainings. While the model was well received, the trainings revealed potential barriers to implementing the West Virginia model. Barriers include: 1) culture of blaming other disciplines when victims "fall through the cracks," 2) law enforcement officers are less likely to conduct evidenced based lethality indicator victim interviews without a mandate; 3) legal procedural barriers for law enforcement to communicate lethality indicators to magistrates in a way that could impact bond and bond conditions; 4) information on evidence based indicators are often not communicated to judges and a legal procedure is needed to assist judges in making informed



decisions without compromising victim safety, autonomy and confidentiality; 5) no legal procedure to communicate bond conditions to law enforcement and victims; and 6) no formal high risk teams or statewide coordination for development and assessment of high risk teams (WVCADV).

From 2003-2005, 103 domestic violence related deaths were identified and reviewed by the West Virginia Domestic Violence Fatality Review Team; of which 72 were homicides and 31 suicides; 27 (87.1%) of the suicides occurred following the commission of a homicide. The West Virginia Domestic Violence Fatality Review Team also found the following:

- 51 female and 52 male fatalities, with women more likely to be homicide victims and men more likely to be suicide victims. Forty-nine (68.1%) of the 72 homicide victims were women; 23 (31.9%) were men. Twenty-nine (93%) of the suicide victims were men; 2 (6.5%) were women.
- All of the adult homicide victims who were part of a homicide/suicide were women.
- 62 of the 71 perpetrators of domestic violence homicides were men; 9 were women. Two of the female perpetrators had a known prior history of domestic violence; in contrast 39 of the 62 male perpetrators had a documented domestic violence history.
- 83 of the 103 deaths were classified as intimate partner related fatalities, such as involving a spouse, ex-spouse, current or former girlfriend/boyfriend/same sex partner or someone else who is involved as victim or perpetrator as the result of an intimate partner relationship. Twenty of the deaths were classified as family violence (involving a family member who is not an intimate partner).
- 78 of the 103 fatalities were due to firearms, 9 to knives or other related weapons, 8 to violent assault by strangulation, striking or kicking; 3 to a blunt weapon; 2 each to fire and motor vehicles and 1 to neglect. All 8 victims of strangulation, striking or kicking were women.
- Most of the Domestic Violence homicides occurred at either the victim's or perpetrator's residence.
- Minor children were present at the scene of 32.8% of intimate partner homicides; and 41.2% of the family violence homicides.

*(Domestic Violence Fatalities Among Adults in West Virginia 2003-2005. A Report of the West Virginia Domestic Violence Fatality Review Team).*

In 2014, the West Virginia Domestic Violence Fatality Review Panel identified thirty-five homicides that took place under domestic violence circumstances, which can include intimate partners, relatives and roommates. The National Coalition Against Domestic Violence reports that one-third of homicides in West Virginia are related to domestic violence; and over two-thirds of women murdered are killed by a family or household member.



## Sexual Violence/Sexual Assault:

Sexual violence is a public health issue across the United States. Many survivors of sexual violence experience physical injury, as well as mental health issues such as anxiety, depression, low self-esteem, trauma, and suicide; and other health issues such as sexually transmitted diseases and un-wanted pregnancy. Nearly 1 in 5, or almost 23 million women, and one in 71, or 1.9 million men in the United States have been raped at some time in their lives (National Intimate Partner and Sexual Violence Survey).

At the state and local level, most of the data concerning rape or sexual assault is from police reports or from agencies that provide services to sexual assault victims. The data provided does not accurately reflect the total number of sexual assault victims because most victims never report the crime or do not seek services from programs. The data provided by law enforcement is conservative because it does not include victims who have never been forcibly sexually assaulted. According to the West Virginia State Police Crime in West Virginia 2014 Report, "Sexual offenses in Incident Based Reporting are Forcible (forcible rape, forcible sodomy, and sexual assault with an object and forcible fondling) and non-forcible (Statutory Rape and Incest). The victims may be of either sex and of any age. The offense of Forcible Rape requires that the victim and offender to be of opposite sexes, while the other offenses may have been both the victim and offender of the same sex" (West Virginia State Police Crime in West Virginia, 2014).

After the rape, the victim is often faced with a society that is filled with misconceptions about sexual violence causing them to blame the victim, believe she/he is lying, not understand the serious nature of the crime, and/or just not capable of providing support. Additionally, our criminal justice process causes further stress, anxiety, and trauma on the victim as they, too, often do not provide an environment in which the victim feels respected, safe, supported, acknowledged, or appreciated for her/his efforts to hold a dangerous offender accountable. This is often referred to as the "*secondary rape*." Rebecca Campbell, Ph.D. cites research in her article, "Rape Survivors' Experiences with the Legal and Medical Systems: Do Rape Victim Advocates Make a Difference?" that "...rape survivors report that they are asked about their prior sexual histories, questioned about how they were dressed or behaving at the time of the assault, and are encouraged not to report or prosecute the assault." Additionally, she states that "victims consistently report that these kinds of behaviors are highly distressing and re-victimizing." She also states "prior research has found that most survivors of rape report feeling guilty, depressed, anxious, distrustful of others, and reluctant to seek further help after their interactions with legal system personnel."

In general, studies have found that sexual violence is under-reported. This makes it difficult to have a clear picture of the full impact and extent of sexual violence crimes. Non-reporting in rural areas is more complicated because of the high rate of non-stranger sexual assault because they are close knit communities and the likelihood of knowing your assailant is high. According to Hunter, Burns-Smith, Walsh, "the closer the relationship between the victim and assailant, the less likely the woman is to report the crime." As with domestic violence, geography and Appalachian culture create unique difficulties in providing services to victims of sexual assault. Rural and urban victims of sexual assault face additional barriers, which include: (1) law enforcement officers who are reluctant to investigate or believe the victim; (2) lack of support to victims from churches and families; (3) physical isolation, including the absence of cell phone



service and public transportation; (4) the resistance of local communities to acknowledge and confront the problem of sexual assault; (5) the lack of funding for services in rural communities, (6) lack of support or services available; and (7) victim blaming for behavior, dress, drinking, etc. (National Sexual Violence Resource Center: Unspoken Crimes: Sexual Assault in Rural America).

The White House Report on Rape and Sexual Assault: A Renewed Call to Action; states “people with disabilities, the LGBT community, prison inmates (of both genders), and the homeless are at a higher risk of being raped or sexually assaulted. Also, undocumented immigrants have different challenges because their abusers often threaten them with deportation if they try to get help. The survivors of rape and sexual assault often suffer from a wide range of physical and mental symptoms that may continue throughout their lifetime. These can include depression, chronic pain, diabetes, anxiety, eating disorders and post-traumatic stress disorder. They are also more likely to attempt or consider suicide. Although hard to quantify, studies have calculated the economic cost of sexual violence crimes to be significant; ranging from \$87,000 to \$240,776 per rape. These costs can include medical, victim services, loss of productivity, decreased quality of life, and law enforcement resources (Rape and Sexual Assault: A Renewed Call to Action. The White House Council on Women and Girls Report).

According to the 2013 West Virginia Behavioral Epidemiological Profile, there were 1,163 sexual assault offenses reported to law enforcement in West Virginia in 2011. The leading sexual assault offenses were forcible fondling (37.2%) and forcible rape (32.7%) (Gwilliam, M. 2013. West Virginia Behavioral Health Epidemiological Profile. Charleston, WV: West Virginia Department of Health and Human Resources, Bureau for Behavioral Health and Health Facilities, Division on Alcoholism and Drug Abuse).

Rape Crisis Centers reported they provided services to 1,531 new victims in 2004-2005. Each victim may have suffered more than one sexual assault incident and not all victims seek assistance from WVFRIS and their member programs, therefore the actual number of incidents is likely to be much greater (West Virginia Criminal Justice Statistical Analysis Center, 2000).

#### West Virginia Sexual Assault statistics (WVFRIS stats):

- 82% of victims were related to or known to the offender
  - 46.6% were acquainted
- Most offenses were reported to have occurred at a residence (70%)
- Personal weapons, such as the offender’s fists or hands, were used during the offense and reported more frequently than other weapons
- 64.8% of victims were juveniles under the age of 18
  - The most frequently reported age was 15
- The majority of the offenders were male (93%) and adult (70.6%)

According to the West Virginia State Police 2014 Annual Report, the following characteristics were reported in sexual assaults in West Virginia:



<b>Victims</b>	<b>Offenders</b>
Gender: 82.1% were female 17.9% were male	8.2% were female 90.8% were male
Race: 90.7% were white 6.1% were black 3.4% were other or unknown	83.5% were white 11.7 were black 4.7 were other or unknown
Age: Average age was 16 Most common age was 14 67.2% were juveniles	Average age was 22 Most common age was 18 28.0% were juveniles

### **Stalking:**

Stalking is defined as “a course of conduct directed at a specific person that would cause a reasonable person fear” by the National Center for Victims of Crime’s Stalking Resource Center. It is suggested that stalking is a pattern of behavior and not a single isolated incident. West Virginia’s law on stalking (WVSC §61-2-9a), addresses stalking as a separate act from harassment. To be charged with the crime of stalking, someone must repeatedly (on two or more occasions) follow another person “knowingly or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress.” To be charged with the crime of harassment, someone must repeatedly (two or more times) harass or make credible threats against another person.

Only recently have the justice system and the public recognized stalking as a distinct and serious crime. Stalking was first defined in West Virginia Code in 1992, W.Va. Code §61-2-9a as “any person who knowingly, willfully, and repeatedly follows, and harasses, or knowingly, willfully, and repeatedly follows and makes a credible threat, or knowingly, willfully and repeatedly harass and makes a credible threat against a person with whom he or she has, or in the past has had or with whom he or she seeks to establish a personal or social relationship, whether or not such intention is reciprocated, or against a member of that person’s immediate family, with intent to place that person in reasonable apprehension that he or she or a member of his or her immediate family will suffer death, bodily injury, sexual assault, battery, or kidnapping....”. The Stalking code was amended on March 8, 2008 relating to the criminal offense of stalking, including penalties. Essentially this bill completely rewrites the bulk of the Stalking statute.

The Stalking Resource Center states, “7.5 million people are stalked in one year in the United States; 61% of female victims and 44% of men victims of stalking are stalked by a current or former intimate partner; 11% of stalking victims have been stalked for five years or more; 46% of stalking victims experience at least one unwanted contact per week.”

The extent of stalking incidents in West Virginia is unknown at this time. According to the Fiscal Year 2014 WV STOP VAWA Annual Performance Reports, 99 stalking victims were provided services by STOP Violence Against Women funded staff. Please note this report only



records unduplicated victims served by STOP funded staff, not the entire staff of victim service programs. It does not reflect statewide statistics.

According to the Fiscal Year 2014 Victim of Crime Act (VOCA) Annual Performance Report (in which the reporting period is from October 1, 2015- September 30, 2016), 1,918 stalking victims received services. Please note this report only records non-duplicated victims served by VOCA funded staff in West Virginia.

A growing concern is internet technology which assists the perpetrator in stalking and harassing victims. There are very little sanctions or oversight over the internet, and it is constantly evolving, so it is impossible for the criminal justice system to keep up with crimes committed via the internet (National Intimate Partner and Sexual Violence Survey). The full extent of stalking in West Virginia is currently unknown because the data collected is not specific enough to give accurate statistics.

### **Marginalized Communities:**

Other barriers are providing services to domestic violence, sexual assault, stalking and dating victims who are considered marginalized communities. Identified marginalized communities by the West Virginians Against Violence Committee include but are not limited to: people of color, disabled, elderly, and LGBT (Lesbian, Gay, Bi-sexual, and Transgender) victims.

Of the total, non-institutionalized population of West Virginia, 19% reported having a disability of which 5.6 % are under the age of eighteen and 43.4 % are 65 years or older (US Census Bureau, 2015 American Community Survey). More than half (51.1%) of the residents are female; 15.4% are 65 years old or older; and 23.5% have a disability. In West Virginia, close to one in every 10 people aged 18 to 64 receive disability insurance from the Social Security Administration, more than three times the rate in states like Utah and Alaska and has the highest rate in the nation (4.2%) of people who identify with hearing difficulties (Disability Statistics Annual Report, Institute on Disability/UCED, 2015).

Victims in later life or with disabilities face challenges because their care-taker and/or family member who is their care-taker may be their abuser. As a result, they often have no other resources and must depend on their abuser to take care of them. Often, the abuser has control over the victim's finances and home (legally or not), and the victims have no other support system to fall back on.

Research indicates that domestic violence occurs at similar rates among same sex couples as it does among straight couples (Center for American Progress). LGBT victims are often not taken seriously when reporting domestic violence, sexual assault, dating violence or stalking; they fear they will be exposed to bias and non-acceptance from their family members and friends if they report. Most abusers use this as another way to control their victims which is amplified due to the extreme isolation among gay and lesbian victims. In addition, these victims have fewer civil rights protections and lack access to the legal system in some states. Most LGBT Victims do not report to law enforcement because to do so would force them to reveal their sexual orientation or gender identity (Center for American Progress).



The Women of Color Network reports the following:

- African American females experience intimate partner violence at a rate 35% higher than that of white females, and about 2.5 times the rate of women of other races. However, they are less likely than white women to use social services, battered women's programs, or go to the hospital because of domestic violence.
- In an Asian and Pacific Islander (API) Institute on Domestic Violence survey, 41-60% of API respondents reported experiencing DV (physical and/or sexual) during their lifetimes.
- According to the National Violence Against Women Survey (NVAWS), 23.4% Hispanic/Latino females are victimized by intimate partner violence (IPV) in a lifetime, defined by rape, physical assault or stalking.
- NVAWS states that 37.5% of Native American/Alaskan women are victimized by Intimate Partner Violence in a lifetime, defined by rape, physical assault, or stalking

(Women of Color Network Facts & Stats: Domestic Violence in Communities of Color – June 2006)

### **Human Trafficking:**

The International Labor Organization estimates that there are 20.9 million victims of human trafficking globally. They report the following statistics:

- ❖ 68% of victims are trapped in forced labor
- ❖ 26% of victims are children
- ❖ 55% are women and girls

The United States Department of Labor has identified 139 goods from 75 countries are made by forced and child labor (Polaris Project Human Trafficking: <https://polarisproject.org/facts>).

The National Human Trafficking Hotline reported the following statistic since 2007 for West Virginia:

- ❖ 232 total calls to the hotline
- ❖ total cases were 68

2016 Statistics:

- ❖ 41 calls
- ❖ 19 human trafficking cases reported
- ❖ There were 46 high indicators and 16 moderate indicators
- ❖ 12 calls from victims & survivors
- ❖ 14 Sex Trafficking
- ❖ 3 Labor Trafficking
- ❖ 2 not specified
- ❖ 16 female
- ❖ 4 male
- ❖ 6 US Citizen – 2 Foreign National



### **Limited English Proficiency:**

All sub-grantees under STOP VAWA, VOCA, SASP and other victim services grants are required as part of their application to have a limited English proficiency plan; this includes providing language services, but also who they contract or work with to provide these services. Sub-grantees also are required to include services for the deaf, hard of hearing, and for those who cannot read.

Because West Virginia has one of the lowest (less than 1%) percentages in the nation of people who speak a language other than English at home and/or speak English less than very well, domestic and sexual violence advocates, law enforcement officers, and prosecutors have few or no bilingual staff. Identified barriers in obtaining interpretation and/or translation services in West Virginia include: (1) lack of interpreters in rural areas; (2) cannot locate skilled or certified interpreters; (3) lack knowledge of how to access interpreter services; (4) limited access to volunteer interpreters; and (5) lack of confidentiality in small communities. In order to address the language barriers, The WV Coalition Against Domestic Violence (WVCADV) coordinates a statewide interpreter service program currently with the use of STOP VAWA funds and in the past with Grants to Encourage Arrests and the Enforcement of Protection Orders grant funds. Last year, interpreter services were accessed 219 times for 5 different languages. Coordinated by WVCADV, the current language line service provides free **telephonic interpreter** services to advocates, law enforcement and prosecutors, and free **in-person interpreter** services, including ASL, for advocates working with victims of domestic violence and sexual assault. Court services also provides interpretation services at all court proceedings (WVCADV).

### **Priorities and Approaches to Address the Problem:**

#### **Priorities:**

The following are priorities set forth for STOP Violence Against Women Act (STOP VAWA) which are all dependent on maintaining or increasing current funding levels:

1. Support and retain core services for victims of sexual assault, domestic violence, dating violence and stalking, particularly support for rape crisis and domestic violence shelter staff.
2. Trauma Informed Training -especially for criminal justice system
3. Collaboration – strengthen coordinated community responses to improve the system’s response to VAWA crimes
4. Increase support for sexual assault response, including services, prosecution, law enforcement and SANE training.
5. Public awareness of services and outreach to identified unserved, underserved and inadequately served populations
6. Identify and increased services to marginalized victims; with emphasis on LGBTQ, people of color, human trafficking victims, disabled and elderly victims.
7. Continued development of the WV model and implement evidence-based risk assessment to identify and prioritize victims who are in relationships with a high risk of lethality.
8. Identify and increase services to human trafficking VAWA victims



The following are priorities set forth for Sexual Assault Services Program (SASP) which are all dependent on maintaining or increasing current funding levels:

1. Support and retain core direct services for victims of sexual assault
2. Public awareness of services and outreach to identified unserved, underserved and inadequately served populations

The following are priorities set forth for Victim of Crime Act (VOCA) which are all dependent on maintaining or increasing current funding levels:

1. Support and retain core direct services for all victims of crime (this is dependent on maintaining current funding levels)
2. Public awareness of services and outreach to identified unserved, underserved and inadequately served populations
3. Expand if funds are available to other areas of the State for programs which provide direct services to crime victims and have identified a gap in service, but especially for elder abuse, financial exploitation, human trafficking, child abuse, sexual assault and domestic violence victims.
4. Support interagency agreements which address referrals and services provided by trained, qualified staff without duplicating services. For example, a Domestic Violence Advocate must receive training and be certified, so they should be utilized to provide services to domestic violence victims, etc.

## **Goals and Objectives:**

The following goals and objectives are set forth as the specific priorities of West Virginia's STOP Violence Against Women Act, VOCA and SASP grant programs. Other grant programs such as OVW Discretionary program funds may be used to assist in addressing the following:

**Goal 1: Continue to improve the criminal and civil justice systems response to domestic violence, dating violence, sexual assault, and stalking crimes.**

**Objective A:** Sustain the number of, and increase the training available to, dedicated assistant prosecuting attorneys, law enforcement officers, and victim advocates committed to the effective and appropriate responses of domestic violence, sexual assault, dating violence, and stalking cases.

**Objective B:** Support the use of victim-centered local protocols in each STOP funded county to:

- Support the on-going team approach to prosecution of domestic violence, stalking, sexual assault, and dating violence crimes among prosecutors, law enforcement officers, judges, and victim service advocates;
- Support evidence-based prosecutions;



- Collect data regarding the arrests and dispositions of domestic violence, dating violence, sexual assault, and stalking cases;
- Enforce and implement state and federal statutes regarding domestic violence, dating violence, sexual assault, and stalking crimes;
- Include response to LGBTQ, People of Color, Human Trafficking Victims, Elder Abuse and Disabled victims for domestic violence, dating violence, sexual assault, and stalking crimes;
- Ensure all victims of crime are notified of their rights as a victim and all agencies are required to respect and uphold these rights;
- Ensure the protocols are reviewed on a yearly basis and updated as needed;
- Ensure all plans address cultural competency responses;
- Address victim notification in sexual assault cold cases;
- Address lethality and utilize the WV Dangerousness Lethality Assessment Guide (D-LAG); and
- Ensure all plans discuss the removal and storage; which includes third party transfers of all firearms and ammunition as per WV code.

**Objective C:** Continue to expand, train and implement a Lethality Risk Assessment and Process which addresses multiple disciplinary agencies response to help reduce domestic violence related homicides.

**Goal 2: Coordinate and structure cross training to maximize attendance of all professionals and paraprofessionals that impact victims of domestic violence, sexual assault, dating violence, and stalking crimes, to provide a better trauma-informed response to victims.**

**Objective A:** Utilize developed curricula or training modules (for example curriculum developed by WV Foundation for Rape Information and Services or the WV Coalition Against Domestic Violence) which will include at a minimum: dynamics of victimization, trauma informed care and the effects of trauma on the victim; dynamics and legal issues of stalking; dynamics and legal issues of domestic violence; and collaborative and multidisciplinary response to domestic violence, sexual assault, stalking, and dating violence crimes. Special emphasis shall be placed on criminal and civil justice system personnel training (judicial, administrative law judges, prosecutors, law enforcement, legal aid, state bar, etc.)

**Objective B:** Continue coordinated community response training to law enforcement officers from the entire state using approved content and training teams composed of a multidiscipline approach which will include law enforcement officers, victim advocates, other community advocates and prosecutors/attorneys.

**Objective C:** Support annual training to improve coordinated community response for Sexual Assault Response Teams (SART). Require funded STOP Teams to include existing Sexual Assault Services Representative as part of their STOP Teams.



**Objective D:** Use STOP VAWA funding, along with other funding, to increase training on the appropriate authorization and use of sex crime kits and increase available SANE Training

**Objective E:** Support and increase the efforts of the West Virginia Foundation for Rape Information and Services to train statewide multidisciplinary groups (advocates, law enforcement, prosecutors, medical professionals, etc.) on sexual assault and stalking issues. Regional trainings shall be offered when possible.

**Objective F:** Provide training and resources to train victim advocates, law enforcement, prosecution, and court staff on human trafficking and the use of T and U Visas.

**Objective G:** Continue the implementation and training of a school guideline for responding to dating violence.

**Objective H:** Continued training for Sexual Assault Advocates on the basics of sexual assault and providing services.

**Objective I:** Continued training for Domestic Violence Advocates on the basics of domestic violence and providing services.

**Goal 3: Develop and/or increase effective responses to the needs of victims of domestic violence, sexual assault, dating violence, and stalking in marginalized communities and cultural and linguistic populations.**

**Objective A:** Expand services and resources for marginalized populations, including people with disabilities; people in later life; racial and ethnic minorities; victims who live in isolated, rural areas; victims with language and cultural barriers; prostitutes, the homeless victims, victims in correctional facilities, human trafficking victims, and victims who are Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ).

**Objective B:** Build the capacity of domestic violence and sexual assault service agencies to provide awareness of services and direct victim services to victims on college and university campuses.

**Objective C:** Encourage community-based programs and service providers, faith-based communities, and colleges and universities to coordinate and integrate their services for victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective D:** Encourage local service providers and criminal justice agencies to identify and collaborate with community based organizations that provide



community and/or victim services to linguistic and culturally specific communities/populations.

**Objective E:** Continue to support telephonic interpretation or language lines to provide better services to victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective F:** Use STOP VAWA funding or other funding to provide for resources on immigration issues which are translated in languages other than English.

**Objective G:** Continue training on cultural diversity and oppression to all STOP Teams.

**Objective H:** Train and implement sub-grantees on identifying unserved, underserved and inadequately served victims of domestic violence, sexual assault, dating violence, and stalking.

**Goal 4: Increase public awareness of services available for domestic violence, sexual assault, dating violence, and stalking victims.**

**Objective A:** Maintain and update, on a yearly basis, a service directory of available service providers for victims of violence available on-line.

**Objective B:** Increase public awareness through community forums, educational programs, public advertisements, and distribution of materials. Ensure resources and materials are updated on a bi-yearly basis, if needed.

**Objective C:** Develop and distribute domestic violence, dating violence, sexual assault, and stalking public awareness materials to address the needs of marginalized populations.

**Objective D:** Provide public awareness of dating violence; which may include domestic violence, sexual assault, and stalking issues at the college and high school levels.

**Objective E:** Expand awareness of domestic violence, sexual assault, dating violence, and stalking issues statewide throughout the criminal justice system.

**Goal 5: Increase collaboration and communication among systems, agencies and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.**

**Objective A:** Continue the work of the West Virginians Against Violence Committee to oversee the Violence Against Women Act Program and the Victims of Crime Act Program; update the Committee on issues and changes in the victim



services field, to foster increased collaboration and communication among systems, agencies, and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective B:** Continue the work of the STOP VAWA Collaborative Committee to review the STOP VAWA and Victim Services Implementation Plan and other issues which address domestic violence, sexual assault, stalking, and dating violence crimes, and to foster increased collaboration and communication among systems, agencies, and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective C:** Sustain and support the central work of the existing STOP teams and STOP funded statewide projects that meet or exceed their projected goals; ensure they are in compliance; that they provide a true victim centered approach and are providing quality and effective services; and are truly collaborating as a team to improve the system's response to domestic violence, sexual assault, stalking and dating violence crimes.

**Objective D:** Increase the participation of non-traditional service providers in coordination with current STOP Teams, to provide a more varied and encompassing community response with a victim centered coordinated approach and additional resources being made available on a statewide and local level beyond the traditional criminal justice, court and victim service participants (i.e. defense attorneys, child protective services, disability service providers, emergency medical services, faith-based community, substance abuse, immigration services, state legislature, legal services, adult protective services, mental health providers, community corrections, education professionals, health professionals, etc.).

**Objective E:** Support increased collaboration between rural health clinics and licensed medical facilities that will conduct sexual assault examinations utilizing their own staff or the assistance of a Sexual Assault Nurse Examiner. Encourage the screening for domestic violence and sexual assault crimes among licensed medical facilities.

**Objective F:** Promote victim service provider's collaboration with community corrections programs across the state to promote victim issues, including victim safety and offender accountability.

**Objective G:** Support the Sexual Assault Forensic Examination (SAFE) Commission's requirement of the development of county plans that address the minimum level standards of care and response related to sexual assault victims and ensure that the Criminal Justice System, Victim Services, and Medical Facilities adhere to these plans.



**Goal 6: Continue and expand if funds are available to provide direct services to victims of crime.**

**Objective A:** Support and retain core direct services for all victims of crime.

**Objective B:** Support public awareness of services and outreach to identified unserved, underserved and inadequately served populations.

**Objective C:** Expand if funds are available to other areas of the State for programs which provide direct services to crime victims and have identified a gap in service and is not duplicative of other grant program services, but especially for elder abuse, financial exploitation, human trafficking, child abuse, and sexual assault and domestic violence victims.

**Objective D:** Programs serving specific identified marginalized populations will be required to have specific training and qualifications to serve those populations.

**Objective E:** Increase referrals and interagency agreements to provide a holistic approach to serving victims without duplication of services.

### **Major Shifts in Direction**

Compared with the former STOP Implementation Plan, this plan reflects many of the same areas of need such as: coordinated responses, training, expanded victim services, public awareness, and expansion of outreach and services to marginalized populations. However, major shifts in direction will take place in the next four years. The major shifts include the following:

- Including VOCA and SASP as part of the plan;
- Expanded lethality assessment and training;
- Increased SANE Trainings;
- Support the SAFE Commissions efforts for improving evidence collection and county plans to improve standard of care for sexual assault victims;
- Improve outreach and awareness of services for unserved, underserved and inadequately served populations; and
- Increased training and services for human trafficking victims.

**Crystal Judson Purpose Area:** At this time, West Virginia does not intend to utilize funds for this purpose area.

### **Emerging Issues**

On January 12, 2017, the STOP Implementation Plan Focus group met and attendees brainstormed about issues, areas of need, strengths and weaknesses as they pertain to domestic violence, sexual assault, dating violence, and stalking crimes in West Virginia. Many of these ideas were incorporated into the goals, objectives, and areas of greatest need sections of this



plan. Other ideas are discussed here because they may not fall within the scope of the West Virginia's current funding plan; however, WV STOP Teams and funded agencies are encouraged to coordinate with other entities, which may be interested in pursuing the following recommendations/issues. Also, the Plan includes SASP and VOCA grants and may be funded if they fit the grant guidelines and funding priorities set by the state. The emerging issues are as follows:

- Substance Abuse issues –
  - more victims experiencing substance abuse issues
  - crime rate/victimization increasing due to substance abuse issues
- Affordable housing
- Transportation
- More requests for legal aid
- Development or need for Sexual Assault Response Teams (SART)
- Need for more counselors/therapists
- More human trafficking victims needing services
- More unemployment/budget crunches – results in less staff for law enforcement etc.
- More reports in Domestic Violence, Sexual Assault and Child Abuse and neglect crimes
- Not enough space in shelters
- Trained SANE nurses needed
- Increased children witnessing violence
- LGBTQ community is growing with little to no resources
- BIPPS needed
- Magistrates need more training on victims and services
- Need more training on how to provide outreach

## **Description of Current Projects:**

### **STOP VAWA:**

STOP VAWA Act funds (Grant Period July 1, 2016 – June 30, 2017) were allocated as follows:

- At least five percent are allocated to state and local courts to provide training, development of bench books and a portion to fund staff for Pilot Domestic Violence Court in Kanawha County.
- At least 25 percent of funds are allocated for law enforcement to provide for overtime and/or a portion of the salary for a dedicated VAWA Law Enforcement Officer.
- At least 25 percent of funds are allocated for prosecutors to provide for a portion of the salary for a dedicated VAWA prosecutor.
- At least 30 percent of funds are allocated for nonprofit, non-governmental victim services, of which at least 10 percent are distributed to culturally specific community-based organizations to provide for direct services to victims.



- It is recommended that at least 20% of the Federal Fiscal Year (FFY) 2016 STOP VAWA Formula funds go to fund (this crosses categories in Victim Services, Law Enforcement, Court, and possibly Prosecution) the following:
  - Training and awareness
  - More advocates to provide services needed
  - SANE Training
  - Dedicated Sexual Assault Law Enforcement Officers are needed
  - Trainings for Judges and Court Personnel on Sexual Assault

*Note: All agencies requesting at least 20% funding for sexual assault for all categories must meet the specifications listed under the Sexual Assault Set Aside Section in this Plan.*

The FFY 2015 STOP VAWA Grant funds allowed West Virginia to fund twenty-eight projects of which five are statewide projects, that provide training across the state to victim service providers, law enforcement, prosecutors, and court personnel, address prison rape elimination act issues, support databases, and updated bench books.

The statewide projects are as follows:

1. WV Coalition Against Domestic Violence (WVCADV)
2. WV Foundation for Rape Information and Services Prison Rape Elimination Act (PREA) (WVFRIS)
3. WV Foundation for Rape Information and Services (WVFRIS)
4. WV Supreme Court of Appeals (WVSCA)
5. WV Prosecuting Attorney's Institute (WVPAI)

The other STOP Team County funded projects include the following:

1. Branches DV Shelter (Cabell County STOP Team)
2. Family Crisis Center (Mineral County STOP Team)
3. Family Crisis Center (Grant County STOP Team)
4. Family Crisis Intervention Center (Roane County STOP Team)
5. Family Crisis Intervention Center (Calhoun County STOP Team)
6. Family Refuge Center (Greenbrier County)
7. Family Refuge Center (Monroe County)
8. Family Refuge Center (Pocahontas County)
9. Kanawha County Commission (Kanawha County STOP Team)
10. Marshall County Commission (Marshall County STOP Team)
11. Ohio County Commission (Ohio County STOP Team)
12. Putnam County Commission (Putnam County STOP Team)
13. RDVIC (Monongalia County STOP Team)
14. RDVIC (Preston County STOP Team)
15. Task Force on Domestic Violence, HOPE, Inc. (Harrison Co. STOP Team)
16. Task Force on Domestic Violence, HOPE, Inc. (Marion Co. STOP Team)
17. Tug Valley Recovery Shelter (Logan County STOP Team)



18. Tug Valley Recovery Shelter (Mingo County STOP Team)
19. Upshur County Commission (Upshur County STOP Team)
20. Women's Aid in Crisis (Randolph County STOP Team)
21. Women's Resource Center (Raleigh County STOP Team)
22. Women's Resource Center (Fayette County STOP Team)
23. Women's Resource Center (Nicholas County STOP Team)

Administrative funds are utilized for (but not limited to) the following purposes:

- Salary/benefits to administer the STOP VAWA funds
- Travel/Training
- Rent
- Supplies

### **Grant Making Strategy:**

All sub-grantees are required to identify the areas to be served by the sub-grant, including the geographical area, population, and marginalized populations in the area to be served by the sub-grant. Geographical area, population and marginalized populations, previous performance and compliance with all grant guidelines, and meeting one or more of the statutory purpose areas under STOP VAWA are major factors in determining funding. Other factors include: coordination with other local jurisdictions, justification of need, and demonstrated community awareness and support. The West Virginians Against Violence Committee and the West Virginia Division of Justice and Community Services also consider other services available in the area to prevent duplication of services and to provide funded services in areas of the state with limited resources.

### **Application Process:**

The application process consists of the following steps:

1. Applications will be promptly acknowledged upon receipt and reviewed for completeness. Applicants will be contacted if omissions appear.
2. Staff will assess the merit and overall need of the project as well as evaluate how the specific project will satisfy state goals and objectives. Comments and recommendations will be attached and the application will be forwarded to the West Virginians Against Violence Committee for consideration after staff has evaluated the merits of the application which might include, but will not necessarily be limited to:
  - a. Compliance of the proposed project application with the priority programs described in the state plan.
  - b. The eventual assumption of costs by the applicant agency.
  - c. Probability that the grant will achieve its objective(s).
  - d. Adequate fiscal responsibility.



- e. Certification that federal funds will not be used to supplant or replace state or local funds.
  - f. Coordination of efforts with other local jurisdictions and federal grant programs.
  - g. Need for the project.
  - h. Geographic area(s) to be served.
  - i. Ability to identify and address the needs of underserved populations.
3. Members of the applying team who are familiar with the proposed project are requested to attend the West Virginians Against Violence Committee Meeting to make a brief presentation or participate by conference call and/or answer any questions regarding the proposal.
4. Based primarily upon the West Virginians Against Violence Committee, staff will make one of the following recommendations to the Governor:
- a. Approve the application.
  - b. Approve with conditions, budget adjustments, or amendments to the application.
  - c. Return for revision. The required revision will be appended to the application.
  - d. Denial.

### **Timeline:**

The project period for VAWA projects is July 1 - June 30; grant funds are awarded on a competitive basis and there is no guarantee of funding from year to year. The timeline for the goals and objectives for this plan begins with the funding of the fiscal year 2017 STOP VAWA funds. This plan is effective May 1, 2017 - April 30, 2020.

### **Consultation:**

All STOP Teams are required to have a core membership which consists of victim service providers (domestic violence and sexual assault programs), a law enforcement officer, and a prosecutor. They are required to work as a team on the development and implementation of their application in order to ensure their application/project promote the safety, confidentiality, and economic independence of victims. They must document they met to fulfill this requirement. All state agencies are required to consult with victim service providers on the development and implementation of their application in order to ensure their application/project promote the safety, confidentiality, and economic independence of victims. (See Appendix F for consultation documentation)



### **Technical Assistance:**

The West Virginia Division of Justice and Community Services staff and members of the West Virginians Against Violence Committee provide technical assistance in a variety of methods, which include but are not limited to:

- All applicants are encouraged to remain in contact with WVDJCS staff throughout the application process to assist with the application.
- Participation in Directors meetings of the local domestic violence and sexual assault programs to provide workshops and or presentations regarding the STOP VAWA grant and other related issues
- Focus groups are held, which includes information on updating the implementation plan, revisions to the State program application, reporting requirements, etc.
- DJCS staff continually provides project directors of the funded programs with information of the STOP VAWA grant, the Office on Violence Against Women, other funding opportunities, training opportunities, etc.
- DJCS staff and the West Virginians Against Violence Committee members are available to attend meetings of locally funded programs and other programs that have interest in domestic violence, sexual assault, dating violence, and stalking issues.
- When guidelines, special conditions, certification requirements, etc. change, technical assistance is provided to the local programs.
- The DJCS website is maintained to provide additional information regarding the STOP VAWA grant and provide contact information.
- Monthly desk monitoring and on-site reviews are made to local programs with the purpose of providing technical assistance.

### **Underserved, Unserved, and Inadequately Served Populations:**

Programs which serve marginalized populations were included in the planning process for this implementation plan. The WVDJCS VAWA Administrator maintains a contact list of identified organizations which work with or in the marginalized population throughout the state. Some examples of these programs include: The YWCA of Wheeling Cultural Diversity and Community Outreach Program, the Kanawha Institute for Social Research and Action, Inc. (KISRA), the West Virginia Coalition Against Domestic Violence Advocacy of Color Network and the Rainbow Justice League (LGBTQ) Committee. Additionally, faith-based organizations, rural programs and people with disabilities were also included as part of this group.

The West Virginians Against Violence Committee is the Advisory Committee which is responsible for the oversight of the STOP Violence Against Women and the VOCA Assistance Grant Programs in the state. Members of this group include a faith-based representative, a sexual assault representative, a domestic violence representative and an underserved population's representative (See Appendix C for a full list of members). All committee members are strong leaders for social change regarding all victims of crime as well as emphasizing the importance of providing services to marginalized populations in the State of West Virginia.



The STOP Implementation Focus Group and Survey identified several unserved, underserved, and inadequately served populations in various areas. Included in these marginalized populations which are as follows:

1. Lesbian/Gay/Bi-sexual/Transgender victims (LGBT);
2. all racial and ethnic minorities victims;
3. victims in later life;
4. victims with disabilities;
5. rural and isolated victims;
6. immigrant and migrant workers;
7. human trafficking victims;
8. incarcerated victims;
9. victims with drug abuse issues

Grant funds have been dispersed to the two agencies which applied for funding. An example would be the YWCA Wheeling Cultural Diversity and Community Outreach Program, and Beginning My Empowerment Thru Emmanuel's Kingdom (BEMEEK) Outreach Program can provide services to the minority populations. It is the intention of the West Virginians Against Violence Committee, the WV Coalition Against Domestic Violence and their member programs, the West Virginia Foundation for Rape Information and Services and their member programs, and the West Virginia Division of Justice and Community Services to seek funding to continue to increase services and outreach to these populations. The WV Coalition Against Domestic Violence and the WV Foundation for Rape Information and Services work with their member programs to review their current services, shelters, brochures, etc. to reflect diversity, and to be inclusive to serve marginalized victims.

West Virginia is considered a rural state by OVW. There are limited services of any kind for victims in some of these rural areas of the state (2000 U.S. Census Bureau Survey). With continued funding in the VOCA, STOP VAWA and Sexual Assault Services Program, we will be able to provide more outreach to rural victims in the State.

All sub-grantee applicants are currently required to identify the underserved population in their service area(s) and to provide statistics to substantiate the need for services. Starting in 2017, as a condition of receiving funding all sub-grantees will be required to identify underserved, unserved and inadequately served victims in their service areas. They are also required to address how they will provide outreach and services to these identified marginalized populations. STOP VAWA sub-grantees will be required to address how they will provide outreach, awareness and services as a STOP Team. Some of these services are provided statewide by the statewide sub-grantees utilizing VAWA and other funds. Some examples include:

- The WV Coalition Against Domestic Violence provides a language line for all victims' services programs and law enforcement agencies in the state, which provides for telephonic interpretation services for victims.
- The WV Supreme Court of Appeals provides interpreters for victims during court proceedings, public awareness and training of court judges and staff.



- The WV Foundation for Rape Information and Services will provide outreach, services and training to sexual assault victims throughout the state as well as address college campus violence against women crimes.
- Training on Human Trafficking and T and U Visas

All programs will provide outreach and some or all may provide the following services to marginalized populations:

- 24-hour hotline services providing crisis intervention services and referrals.
- Accompaniment and advocacy through medical, criminal justice and social support systems, including medical facilities, police and court proceedings.
- Crisis Intervention, short-term individual and group support services, and comprehensive service coordination and supervision to assist sexual assault victims and family or household members.
- Information and referral to assist violence against women victims and family or household members.
- Providing public awareness of services available and where victims can receive these services. These may include: brochures, information tables at community events, public presentations, TV, social media, radio and newspaper articles. Brochures and information will be distributed to rural areas as well as urban areas.
- Inform and assist with filing Victim Compensation Fund requests
- Interagency agreements in order to provide services without duplication of services

The VAWA Collaborative is dedicated to work with marginalized community leaders to determine a better plan to address the issues brought forth from the survey and focus group.

### **Indian Tribes:**

West Virginia does not have any registered or Federally Recognized Tribes. According to the West Virginia Division of Culture and History, the contemporary Native American population can best be described as a statewide network of individuals who claim Native American ancestry, and related organizations. It is estimated there are approximately 5,000 Native Americans in West Virginia, including individuals from at least 80 different bloodlines and tribal associations. These include descendants from regional Native Americans, including Cherokee and Shawnee Tribes, and individuals who recently relocated to West Virginia from throughout North America. Other people in West Virginia have Native American blood, but do not have a historical tribal association, others have mixed blood, that is, ancestry from different tribes as well as different races in addition to Native American. Tracing family history and conducting accurate genealogical research is especially challenging for individuals of Native American ancestral descent (West Virginia Division of Culture and History).

### **Cultural Specific Populations/Agencies:**

In looking at the racial and ethnic composition of the state, there is currently a low disparity between races in West Virginia. West Virginia citizens are predominately Caucasian (93.2%),



3.4% Black or African American, 1.3% Hispanic or Latino, 0.7% Asian, and 0.2% Native American Indian (US Census Bureau, 2010). The US Census estimates that in 2010 the percent of the population that is White will be 93.9%; Black or African American will be 3.4%; American Indian will be 0.2%; Asian 0.7 %; and Hispanic or Latino 1.2%.

Currently five counties in West Virginia have 11% or more of their population who are people of color, two counties in West Virginia have 9-10% of their population who are people of color, and three counties have 7-8% of their population who are people of color. The counties which have 7%-11% or more people of color are as follows:

Cabell, Summers, Mercer, McDowell, Monongalia, Berkeley, Jefferson, Gilmer, Kanawha, and Raleigh Counties. (US Census, 2015 American Fact Finder).

The West Virginians Against Violence Committee and WV DJCS staff makes every attempt to identify areas of greatest need, including geographical needs and marginalized populations and encourage these organizations in these areas to apply for funds. However, many non-profit agencies choose not to apply (particularly faith-based and cultural specific agencies) due to the restrictions on Federal grant funds, the program's inability to work on a reimbursement process, and their ability to provide needed services. The West Virginia Coalition Against Domestic Violence has utilized a portion of their STOP VAWA funding in the past to provide Cultural Diversity and Anti-Oppression Trainings to STOP Teams.

Currently STOP VAWA Grant Funds are distributed to two cultural specific agencies in the state. These programs are:

- The YWCA Cultural Diversity and Community Outreach Program in Wheeling, WV, who provides outreach and services to people of color in Ohio County;
- The B.M.E.E.K. Community Outreach Program in Charleston, WV provides the following services to people of color in Kanawha County: Counseling, Criminal Justice Advocacy, Outreach Services which includes awareness of services, Emergency services to Domestic Violence Victims in the emergency room and in the hospital.

Cultural specific services are very limited in the state. The need to develop, expand, enhance and support existing cultural competent services is imperative. The northern and eastern panhandles of the state are unique because of their proximity to other states and larger cities. These regions, as well as Charleston and Huntington, also tend to have a greater cultural specific population. The staff of WVDJCS and the West Virginians Against Violence Committee are committed to identifying culturally specific programs in these areas (as well as other parts of the state) and encourage them to apply for funds, and for existing sub-grantees to reach out to these programs, include as a part of their STOP Teams and Advisory Boards, and provide services to all victims and their families of domestic violence, dating violence, sexual assault, and stalking crimes.



### **Cultural Specific Set Aside:**

An organization is eligible to receive the culturally-specific set aside funds if the organization is a nonprofit, nongovernmental organization that serves a specific geographic community that:

- (A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
- (B) Has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
- (C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; *or*
- (D) Obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration;

***And:***

- (E) Is primarily directed toward racial and ethnic minority groups; *and*
- (F) Is providing services tailored to the unique needs of that population.

An organization will qualify for funding if its primary mission is to address the needs of racial and ethnic minority groups or if it has developed a special expertise regarding a particular racial and ethnic minority group. The organization must do more than merely provide services to the targeted group; rather, the organization must provide culturally competent services designed to meet the specific needs of the target population.

In reviewing sub-grantee applications, the Committee and DJCS will look not only at the numbers of victims that will be served, but also at how the services will be provided; whether the community to be served has been involved in planning for the delivery of the services and whether there will be outreach to that community regarding the availability of the services. For example, if an applicant proposes to provide services to Mexican immigrant victims, the state should consider such things as: line items in the budget for certified interpreters; a demonstration that the applicant has knowledge of and collaborative relationships with other organizations relevant to the community; established outreach activities to the community; and on-going staff training on Mexican culture. A community-based organization that accepts funding to provide services to a racial and ethnic population cannot exclude others from participating in its programs and activities based on race, color, religion, national origin, sex, gender identity, sexual orientation, disability, or age.

### **Sexual Assault Set Aside:**

Another priority is meaningfully addressing sexual violence. All new and existing STOP Team programs will identify how they meaningfully address sexual violence. As needed and appropriate, sexual assault set aside funds will be utilized to both provide quality and responsive services to victims of sexual assault and build the state's capacity to do so. Any capacity-building efforts will be made in conjunction with the state sexual assault coalition, the West Virginia Foundation for Rape Information and Services. Sexual assault set aside funds will be used in the following categories:



- Victim Services
- Law Enforcement, and
- Prosecution

In recognition that not all applicants or sub-grantees have as their mission to serve all types of victims of crime, or that all have the capacity to do so, a targeted effort will be made utilize the sexual assault set aside to support only entities that demonstrate the provision of meaningful services to victims of sexual violence. Core meaningful services will include, but not be limited to sexual violence services as part of the services currently provided and/or that are part of the entity's mission or mission statement; specific initial training on sexual violence for staff (with documentation of the training); ongoing training on sexual violence for staff (with a demonstrated method for documenting the training); the inclusion of sexual violence services in the agency's publications/media materials (if the agency is a private, non-profit entity); and demonstrated participation in a community sexual assault response with 24/7 comprehensive service provision. Sexual assault services must be provided outside of the context of domestic violence. The following are a list of priority activities for funding sexual assault initiatives to qualified entities:

- Training and awareness provided by an approved funded State agency
- More advocates to provide services are needed (advocates must meet the qualifications set forth by WVDJCS in coordination with the SAFE Commission and the West Virginians Against Violence Committee)
- Dedicated Sexual Assault Law Enforcement Officers and/or overtime to investigate and serve protection orders (Law Enforcement Officers and/or overtime must meet the qualifications set forth by WVDJCS in coordination with the SAFE Commission and the West Virginians Against Violence Committee)
- Direct Service related travel
- SANE Training

The sexual assault set aside funds may be used to fund advocates which fit the following requirements:

- Victim Service Provider which fits the definition under VAWA 2013, which means they must be a non-profit, non-governmental organization or rape crisis center that assists and provides meaningful services to sexual assault victims. Sexual assault service programs are organizations that have as their mission to provide advocacy and support to sexual violence survivors and work towards the elimination of sexual violence. Some are single-purpose agencies, while others are merged with domestic violence or other social services. These dual/multi-service agencies provide a wide array of services for a variety of concerns and needs. Sexual assault service programs provide a range of services, from the basic collection of services that define advocacy organizations for sexual violence survivors to a broad and diverse offering of intervention, prevention, and systems change programming. These services can be conceptualized in two categories: *core services* that meet basic needs and *comprehensive services* that provide



additional opportunities for healing and empowerment. All services available to survivors of sexual assault should be rooted in an understanding of the complex effects that trauma and other forms of oppression may have in a survivor's life.

A non-profit organization is eligible to receive monies from the sexual-assault set aside if the organization:

- (A) Has 24/7 services that have a primary focus on sexual assault;
  - (B) Is providing services that are tailored to the unique needs of sexual assault victims and are provided by staff that is extensively trained to address those unique needs;
  - (C) Is proposing to utilize the funds solely for the purpose of serving sexual assault victims;
  - And*
  - (D) Can demonstrate the need for any staff requested to provide the services.
- Funding cannot be requested solely for "on call" pay; the need for the actual provision of services to victims must be evident.

If the need can be demonstrated, sexual assault funds may also be used to fund a portion of a dedicated sexual assault law enforcement officer or overtime for law enforcement to investigate sexual assault crimes and serve protection orders, or sexual assault dedicated prosecutor; or to fund training dedicated specifically to train law enforcement officers, prosecutors, and court staff on the following issues:

- Trauma-informed services to sexual assault victims
- Forensic Medical Exam requirements
- Personal Safety Order
- Investigating, responding to and prosecuting sexual assault
- Legislative changes specific to sexual assault
- Victim's rights
- The counter-intuitive response to sexual violence and how it impacts investigation and prosecution

### **Evaluation of Plan:**

All STOP Violence Against Women Act sub-grantees are required to develop and implement client evaluations of their programs and services provided. These evaluations must ensure client confidentiality and may be reviewed or submitted to WVDJCS staff or the West Virginians Against Violence Committee. In addition to client evaluations, programs are encouraged to develop and implement evaluations or reviews from their peers, other service providers and criminal justice professionals such as prosecutors, judges and other staff. All sub-grantees who conduct training must conduct and submit training evaluations.



All STOP Teams are required to develop and implement protocols for each discipline's response (law enforcement, victim services, prosecution, court, etc.) to domestic violence, dating violence, sexual assault, and stalking crimes. Within this protocol there should be an explanation of how they will evaluate this process. It is also a recommendation for the grant that during their STOP Team meetings, the team evaluates the program, goals and objectives and their protocol, and make revisions as needed. The STOP Teams are also required to review a case which has identifying information redacted and explore how each system could improve their response to domestic violence, sexual assault, stalking and dating violence crimes and to cross train members on the team. The STOP Teams are required to develop applications as a team. In addition, the teams will also remain in contact with their STOP VAWA State Administrator concerning issues or needed services or funding through monthly reports, phone contact, e-mail, and monitoring visits

WV Division of Justice and Community Services staff will monitor all STOP VAWA Act Programs by completing a desk review of reports and sub-grantee files and will visit the program office in the STOP Team county to monitor the program. The purpose of on-site monitoring visits is to:

1. Determine progress made toward achieving project objectives;
2. Determine compliance with terms, conditions, and purpose of grant;
3. Identify technical assistance needs; and
4. Provide guidance of future design or funding of similar projects.

The STOP Violence Against Women Collaboration Committee will meet quarterly to discuss and review the Implementation Plan. At that time, the Committee will determine the status of the Goals and Objectives and make revisions as needed with input provided by the programs and key members from the criminal justice system.

Also, the West Virginians Against Violence Committee in coordination with the WV Division of Justice and Community Services, will continue to review grant applications, funding decisions, program compliance, and the development, application, and assessment of the State's Implementation Plan. The West Virginians Against Violence Committee consists of representatives from the following entities: domestic violence coalition, sexual assault coalition, prosecution, law enforcement, faith-based community, criminal justice based victim assistance program, underserved population community, child abuse protection, a violent crime victim, and court personnel.

## **Conclusion:**

West Virginia's four-year STOP Violence Against Women Act (VAWA) and Victim Services Implementation plan is three-fold. First, it is designed to provide all professionals who make up the STOP VAWA Teams and the state-wide projects with the tools necessary to develop and strengthen the criminal justice's strategies to combat the violent crimes of domestic violence, dating violence, sexual assault, and stalking. Second, it will aid in supporting, enhancing, and expanding services available to these victims and their families. Third, it includes priority of funding for VOCA and SASP grant programs.



The West Virginia Division of Justice and Community Services (WVDJCS) will continue to work closely to provide services, training, and to effect change in West Virginia, with the WV Foundation for Rape Information and Services (WVFRIS) and the West Virginia Coalition Against Domestic Violence (WVCADV). They will continue to work with other partners who include, but are not limited to, the United States District Attorneys' Offices, Faith-based agencies, Cultural-Specific Organizations, the West Virginia Supreme Court of Appeals, West Virginia Prosecuting Attorney's Institute, and the West Virginia Crime Victim Compensation Office.

The STOP Violence Against Women Collaboration Committee, the West Virginia Division of Justice and Community Services staff, the West Virginia Crime Victims Compensation Office, the West Virginians Against Violence Committee and individuals and agencies dedicated to holding offenders accountable for their crimes while respectfully supporting and assisting the victims throughout our state, will continue to meet throughout the year. These groups will meet to ensure that all domestic violence, dating violence, sexual assault, and stalking crime victims have an agency they can go to for assistance. Through client surveys and continued collaboration, the STOP Committee will be able to evaluate and continue to identify the needs of these victims.



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# APPENDICES



# APPENDIX A



## **List of STOP VAWA Focus Group**

### **List of STOP VAWA Collaboration Committee Members:**

1. Marla Willcox-Eddy - Family Counseling Connection - REACH- Rape Crisis Center
2. Nancy Hoffman- West Virginia Foundation for Rape Information and Services
3. Joyce Yedlosky- West Virginia Coalition Against Domestic Violence (WVCADV)
4. Tonia Thomas- West Virginia Coalition Against Domestic Violence
5. Michelle Dean- West Virginia Department of Health and Human Resources - FVPSA
6. Nikki Erwin/Patricia Bailey- Family Protection Service Board
7. Sarah Brown - West Virginia Division of Justice and Community Services- STOP VAWA Program Specialist
8. Sara Pennington- West Virginia Division of Justice and Community Services – VOCA Program Specialist
9. Kenyatta Grant – Community Coordinator - WVCADV

### **List of Invited Focus Group Members:**

1. Nancy Hoffman – WVFRIS (Sexual Assault Coalition)
2. Marla Willcox-Eddy- REACH (Rape Crisis Center)
3. Sharon Pressman – CONTACT of Huntington (Rape Crisis Center)
4. Debbie Lopez-Bonasso – WVFRIS (SANE Coordinator)
5. Shallon Oglesby - WV State Police
6. Sherry Eling - WV Prosecuting Attorney's Institute
7. Kenyatta Grant (WVCADV – Underserved Pop)
8. Joyce Yedlosky (WVCADV)
9. Tonia Thomas (WVCADV)
10. Marissa Collett – CHANGE, Inc. (DV Program)
11. Amanda McComas – Branches DV Shelter (DV Program)
12. Kenosha Davenport – Family Refuge Center (Dual Program)
13. Pippa McCullough – Shenandoah Women's Center (Dual Program)
14. Laura Queen Upshur County Prosecution-based Advocate
15. Lesli Forbis – Putnam County Law Enforcement-based Advocate
16. Sheriff Sonya Porter – Logan County Sheriff's Department
17. Jeff Vance – Lewisburg Police Department
18. Sam Leizear (LGBT)
19. Perri DeChristopher – Monongalia County Prosecutor
20. Gail Kahle – Ohio County VAWA Assistant Prosecutor
21. Stephanie Milliron – Upshur County VAWA Assistant Prosecutor
22. Andrew Schneider -Fairness WV (LGBT)
23. Jan Derry – Northern WV Center for Independent Living (Disability)



24. Mike Jones – KISRA- Faith-based/Cultural Specific
25. Sandra Calloway (BEMEEK) – Cultural Specific Advocate
26. Rita Gupta - YWCA Wheeling Diversity Program Advocate
27. Angie Saunders WV Supreme Court of Appeals (WVSCA)
28. Sarah Brown (WVDJCS – STOP VAWA Administrator)
29. Sara Pennington (WVDJCS – VOCA Administrator)
30. Cammie Chapman – WV Supreme Court of Appeals
31. Tracy Chapman- Advocate (US Attorney's Office Southern District)
32. Patricia Bailey – Family Protection Service Board
33. Michelle Dean – WVDHHR -FVPSA
34. Gerri Mason – Mineral County CASA Director
35. Kat McConnell – WV Senior Legal Aid
36. Adrienne Worthy – Legal Aide of WV
37. Nikki Erwin – Family Protection Service Board
38. Emily Chittenden Laird – WV Child Advocacy Network
39. Troy Ball – Morgantown Police Department

### **List of Focus Group Participants:**

1. Sarah Brown- WV Division of Justice and Community Services- STOP VAWA Program Specialist
2. Sara Pennington - WV Division of Justice and Community Services- VOCA Program Specialist II
3. Leslie Roberts- WV Division of Justice and Community Services – VOCA Program Specialist I
4. Nancy Hoffman – WVFRIS (Sexual Assault Coalition)
5. Marla Willcox-Eddy- REACH (Rape Crisis Center)
6. Sharon Pressman – CONTACT of Huntington (Rape Crisis Center)
7. Debbie Lopez-Bonasso – WVFRIS (SANE Coordinator)
8. Shallon Oglesby - WV State Police
9. Sherry Eling - WV Prosecuting Attorney's Institute
10. Kenyatta Grant (WVCADV – Underserved Pop)
11. Joyce Yedlosky (WVCADV)
12. Amanda McComas – Branches DV Shelter (DV Program)
13. Kenosha Davenport – Family Refuge Center (Dual Program)
14. Pippa McCullough – Shenandoah Women's Center (Dual Program)
15. Lesli Forbis – Putnam County Law Enforcement-based Advocate
16. Sheriff Sonya Porter – Logan County Sheriff's Department
17. Detective Jeff Vance – Lewisburg Police Department
18. Jan Derry – Northern WV Center for Independent Living (Disability)
19. Mike Jones – KISRA- Faith-based/Cultural Specific



20. Angie Saunders (WVSCA)
21. Cammie Chapman – WV Supreme Court of Appeals
22. Tracy Chapman- Advocate (US Attorney's Office Southern District)
23. Gerri Mason – Mineral County CASA Director
24. Adrienne Worthy – Legal Aide of WV
25. Emily Chittenden Laird – WV Child Advocacy Network
26. Troy Ball – Morgantown Police Department
27. Dayla Harvey – Mineral County CASA – Volunteer Coordinator
28. Nikki Erwin – Family Protection Service Board
29. Liz Deal- CONTACT of Huntington – Assistant Director
30. Eric Powell – Morgantown Police Department
31. Shannon Petree – Branches DV Shelter - Advocate

### **STOP VAWA Sub-grantees:**

1. WV Foundation for Rape and Information Services (WVFRIS)
2. WV Foundation for Rape and Information Services (WVFRIS – PREA)
3. WV Coalition Against Domestic Violence (WVCADV)
4. West Virginia Prosecuting Attorney's Institute (WVPAI)
5. WV Supreme Court of Appeals (WVSCA)
6. Branches DV Shelter (Cabell County STOP Team)
7. Comprehensive Women's Service Council (Raleigh County STOP Team)
8. Comprehensive Women's Service Council (Fayette County STOP Team)
9. Comprehensive Women's Service Council (Nicholas County STOP Team)
10. Family Crisis Center (Mineral County STOP Team)
11. Family Crisis Center (Grant County STOP Team)
12. Family Crisis Intervention Center (Roane County STOP Team)
13. Family Crisis Intervention Center (Calhoun County STOP Team)
14. Family Refuge Center (Greenbrier County STOP Team)
15. Family Refuge Center (Monroe County STOP Team)
16. Family Refuge Center (Pocahontas County STOP Team)
17. Kanawha County Commission (Kanawha County STOP Team)
18. Marshall County Commission (Marshall County STOP Team)
19. Ohio County Commission (Ohio County STOP Team)
20. Putman County Commission (Putnam County STOP Team)
21. RDVIC (Monongalia County STOP Team)
22. RDVIC (Preston County STOP Team)
23. Task Force on Domestic Violence, HOPE, Inc. (Harrison Co. STOP Team)
24. Task Force on Domestic Violence, HOPE, Inc. (Marion Co. STOP Team)
25. Tug Valley Recovery Shelter (Logan County STOP Team)
26. Tug Valley Recovery Shelter (Mingo County STOP Team)
27. Upshur County Commission (Upshur County STOP Team)
28. Women's Aid in Crisis (Randolph County STOP Team)

**Surveys were also sent to all fifty-five Prosecutors and Sheriffs in West Virginia**



# APPENDIX B



### **West Virginia Demographics:**

- **Total Population:** 1,852,994  
*\*Information from the US Census Bureau –2010*
- **Total Estimate for 2015-** 1,884,128  
*\*Information from <http://quickfact.census.gov>*
- **Population by Gender:** Male (49.3%) - Female (50.7%)  
*\*Information from the US Census Bureau –2010*
- **Population by Gender:** Male (49.4%) - Female (50.6%)  
*Information from <http://quickfact.census.gov>*
- **Urban vs. Rural:** 46.05% Urban and 53.95% Rural
- **Median Age:** (years) 42.6  
*\*Information from the US Census Bureau –2010*
- **Median Age:** (years) 41.3  
*\*Information from <http://quickfact.census.gov>*
- **Location & Area:** Appalachia Region; 24,229.76 square miles = 76.5 persons per square mile

### **Poverty Level and Rank:**

*\*Information from US Census Bureau/American Fact Finder Survey 2015 American Community Survey*

- Persons below poverty level: 17.9%
- Under 18 years of age below poverty level: 24.5%
- 65 years and older living below the poverty level: 9.4%
- 19.6% of females are living below the poverty level compared to 16.6% of males
- Median Household Income: \$41,576
- Mean Household Income: \$53,889

*\*Information from Bureau of Labor Statistics*

- Unemployment rate as of January 2017, WV has an unemployment rate of 5.6%

### **Education Level and rank:**

*\*Information from the US Census Bureau –American Fact Finder 2015 Community Survey*

- 84.5% of WV Population who are 25 or older have a high school diploma
- 18.3% of the population who are 25 or older have a Bachelor's Degree
- 7.3% of the population 25+ years have a Graduate or professional degree

### **Family Structure Info:**

*\*Information from the US Census Bureau – 2015 American Community Survey*



- Married Couple Family: 48.8%
- Female households, no husband present: 11.4%
- 1.8% of total population of grandparents who are responsible for their grandchildren
- 37 births are to teen mothers (15-19 yrs.) *Information from WV Kids Count*
- 42.4% of births are to unwed mothers

### **Disability Information:**

*\*Information from the US Census Bureau - 2015 American Community Survey*

- 19.2% of noninstitutionalized population have a disability
- 23.5% of females have a disability
- 43.4% Population 65 years of age who have a disability
- 4.2% of people who identify with hearing difficulties (Disability Statistics Annual Report, Institute on Disability/UCED, 2015)

### **Minorities:**

- White = 93.2%
- Black or African American = 3.2%
- American Indian and Alaska Native = 0.2%
- Asian = 0.7%
- Native Hawaiian/Other Pacific Islander = 0.0%
- Hispanic or Latino = 1.3%

*\*Information from <http://quickfact.census.gov>*

- White = 93.8%
- Black or African American = 3.4%
- American Indian and Alaska Native = 0.2%
- Asian = 0.7%
- Native Hawaiian/Other Pacific Islander = 0.7%
- Hispanic or Latino = 1.3%

*\*Information from the US Census Bureau – 2010*

### **Other Languages:**

*\*Information from the US Census Bureau – 2010*

- Population 5 years + who speak a language other than English = 2.3%
- Population 5 years + who speak only English = 97.3%
- WV has the lowest percentage of residents that speak a language other than English in the home (2.7%)

### **Elderly:**

*\*Information from the US Census Bureau - 2015 American Community Survey*

- 50 - 54 years old – 7.3% of population
- 55 -59 years old -7.5% of population
- 60 – 64 years old – 7.2% of population



- 65 – 69 years old – 5.7% of population
- 70 - 74 years old – 4.1% of population
- 75 – 79 years old – 3.1% of population
- 80 – 84 years old – 2.2% of population
- 85 years and older – 2.1% of population

### **Faith Community Information:**

*\*Information from 2017 Sperling's BestPlaces:*

*[http://www.bestplaces.net/religion/state/west\\_virginia](http://www.bestplaces.net/religion/state/west_virginia)*

Percent Religious	35.76%
Baptist	8.11%
Catholic	5.36%
Methodist	7.64%
Lutheran	0.72%
Latter Day Saints	0.95%
Episcopalian	0.46%
Methodist	7.64%
Presbyterian	1.20%
Other Christian	8.39%
Jewish	0.08%
Eastern	0.11%
Islam	0.10%

### **Domestic Violence Information:**

*\*Information from the National Coalition Against Domestic Violence-WV Facts*

- 12,661 reported cases of domestic violence to law enforcement in 2010.
- 1/3 of homicides in West Virginia are related to domestic violence
- A call is placed to a WV domestic violence hotline every nine minutes
- Over 2/3 of women murdered in WV are killed by a family or household member



*\*Information from the West Virginia Coalition Against Domestic Violence -May 2012*

- On any given day, licensed domestic violence programs provide services to over 600 victims.
- Every 9 minutes, a call is made to a domestic violence hotline in West Virginia.
- Over 1/3 of homicides in WV are related to domestic violence.
- 14,880 domestic violence cases were filed in West Virginia Family Court in 2010.
- Nearly half of all assaults in WV are between family or household members.
- Arrests in domestic violence incidents account for 62% of the total arrests from crimes against person in WV.
- Over 2/3 of women murdered in WV are killed by a family or household member.
- 12,661 domestic offenses were reported to law enforcement in West Virginia in 2010.

*\*Information from the Domestic Violence Fatalities Among Adults in West Virginia 2003-2005. A Report of the West Virginia Domestic Violence Fatality Review Team*

- From 2003-2005, 103 domestic violence related deaths were identified and reviewed by the WV DV Fatality Review Team; 72 homicides and 31 suicides. Twenty-seven (87.1%) of the suicides occurred following the commission of a homicide.
  - 51 female and 52 male fatalities, with women more likely to be homicide victims and men more likely to be suicide victims. Forty-nine (68.1%) of the 72 homicide victims were women; 23 (31.9%) were men. Twenty-nine (93.%%) of the suicide victims were men; 2 (6.5%) were women.
  - All of the adult homicide victims who were part of a homicide/suicide were women.
  - Sixty-two of the 71 perpetrators of domestic violence homicides were men; 9 were women. Two of the female perpetrators had a known prior history of domestic violence; in contrast 39 of the 62 male perpetrators had a documented domestic violence history.
  - 83 of the 103 deaths were classified as intimate partner related fatalities, I.e. involving a spouse, ex-spouse, current or former girlfriend/boyfriend/same sex partner or someone else who is involved as victim or perpetrator as the result of an intimate partner relationship. Twenty of the deaths were classified as family violence (involving a family member who is not an intimate partner).
  - 78 of the 103 fatalities were due to firearms, 9 to knives or other related weapons, 8 to violent assault by strangulation, striking or kicking; 3 to a blunt weapon; 2 each to fire and motor vehicles and 1 to neglect. All 8 victims of strangulation, striking or kicking were women.
  - Most of the DV homicides occurred at either the victim's or perpetrator's residence.
  - Minor children were present at the scene of 32.8% of intimate partner homicides; and 41.2% of the family violence homicides.



*\*Information from the WV State Police Crime in West Virginia 2014 Report- Domestic Violence - the following crimes was reported among Victim to Offender relationships:*

- 1,940 aggravated assaults
- 167 forcible fondling
- 93 forcible rapes
- 23 forcible sodomy cases
- 25 incest
- 857 reports of intimidation
- 90 kidnapping
- 31 murders and nonnegligent manslaughter
- 54 sexual assaults with an object
- 6,250 simple assaults
- 17 statutory rapes

### **Sexual Assault Information:**

*\*Information from the West Virginia Foundation for Rape Information and Services*

- Nearly 82% of all sexual assaults were committed by someone known to the victim.
- 46.6% of assaults were committed by an acquaintance
- 7.4% by an intimate partner
- 27.6% by 'other' family (e.g., in-law, sibling)
- Most (70%) sex offenses were reported to have occurred at a residence or home.
- Personal weapons, such as the offender's hands or fists were used during sex offenses, more than other weapons.
- 64.8% of victims were juveniles under the age of 18.
- The most frequently reported age was 15.
- The majority of the offenders were males (93%) and adult (70.6%).
- 70% of sex offenses occurred at a residence or in a home.

*Information from the WV State Police Crime in West Virginia 2014 Report- Sexual Assault: Sexual offenses are forcible (forcible rape, forcible sodomy, sexual assault with and object and forcible fondling) and non-forcible (statutory rape and incest).*

<u>Victims</u>	<u>Offenders</u>
Gender: 82.1% were female 17.9% were male	8.2% were female 90.8% were male
Race: 90.7 were white 6.1% were black 3.4% were other or unknown	83.5% were white 11.7 were black 4.7 were other or unknown



Age: Average age was 16  
 Most common age was 14  
 67.2% were juveniles

Average age was 22  
 Most common age was 18  
 28.0% were juveniles

Offense Reported	Adult Offenders	Juvenile Offenders
Forcible Rape	30%	23%
Forcible Sodomy	6%	9%
Sexual Assault w/Object	18%	15%
Forcible Fondling	37%	46%
Statutory Rape	6%	6%
Incest	3%	1%

Offender was	Adult Victims	Juvenile Victims
Not related to Victim	88%	67%
Related to Victim	12%	32%

- 1,049 Offenders reported to police
- 761 offenders not arrested
- 288 offenders arrested; 267 adults and 21 juveniles

### Dating Violence:

*\*Information from Break the Cycle, 2011 State Law Report Card*

- West Virginia is one of the states that allow victims of dating violence to file for a protective order regardless of the nature of the relationship. However, the law does not specify if minors can petition on their own behalf and it does not specify if the parent or guardian of the minor will be notified about the protective order. West Virginia law at this time does not provide for a specific school response to dating violence.

*Note: Dating Violence information/stats are collected with Domestic Violence information/stats so we don't have separate information.*

### Stalking:

There are currently no statewide statistics collected other than the VOCA and STOP VAWA reports.



# APPENDIX C



## WEST VIRGINIANS AGAINST VIOLENCE COMMITTEE

---

**1<sup>st</sup> Lt. Shallon Oglesby** (*Chair*)

West Virginia State Police  
*Law Enforcement Representative*

**Lisa Tackett**

West Virginia Supreme Court of Appeals  
*Court Representative*

**Joyce Yedlosky**

West Virginia Coalition Against Domestic Violence  
*Domestic Violence Representative*

**Tracy Dorsey Chapman**

U.S. Attorney's Office, Southern District  
*Federal Victim Assistance Representative*

**Christina Mehler Frizzell**

U.S. Attorney's Office, Northern District  
*Federal Victim Assistance Representative*

**Ed Kornish**

McDowell County Prosecuting Attorney's Office  
*Prosecution Representative*

**Cheryl Chandler**

Mercer County Resident  
*Crime Victim Representative*

**Andrea Darr**

WV Prosecuting Attorney's Institute –Drug Endangered Children Coordinator  
*Child Abuse Representative*

**Felicia Bush**

Underserved Populations Advocate  
*Underserved Populations Representative*

**Marla Willcox Eddy**

West Virginia Foundation on Rape Information and Services  
*Sexual Assault Representative*

**Reverend Kay Albright**

Bridges of Grace United Church of Christ  
*Faith-Based Organization Representative*



# APPENDIX D



# **Focus Group Questions**



# STOP VAWA Implementation Plan Focus Group Meeting Sign in Sheet

January 12, 2017

Name	Agency	Title	Phone Number	E-mail	Date	Signature
Sarah Brown	WV Division of Justice and Community Services	STOP VAWA Administrator	304-558-8814 Ext. 53337	<a href="mailto:Sarah.J.Brown@wv.gov">Sarah.J.Brown@wv.gov</a>	01/12/17	
Sara Pennington	WV Division of Justice and Community Services	VOCA Administrator	304-558-8814 Ext. 53336	<a href="mailto:Sara.E.Pennington@wv.gov">Sara.E.Pennington@wv.gov</a>	01/12/17	
Leslie Roberts	WV Division of Justice and Community Services	VOCA CJSI	304-558-8814 ext. 53314	<a href="mailto:Leslie.R.Roberts@wv.gov">Leslie.R.Roberts@wv.gov</a>	01/12/17	
Gail Kahle	Ohio County Prosecuting Attorney's Office	VAWA Prosecutor	304-234-3631	<a href="mailto:gkahle@wvocpa.org">gkahle@wvocpa.org</a>	01/12/17	
Nancy Hoffman	WV Foundation for Rape Information & Services (WVERIS)	State Coordinator	304-366-9500	<a href="mailto:wvfris@frontier.com">wvfris@frontier.com</a>	01/12/17	
Tonia Thomas	WV Coalition Against Domestic Violence	Team Coordinator	304-965-3552	<a href="mailto:tthomas@wvcadv.org">tthomas@wvcadv.org</a>	01/12/17	
1 <sup>st</sup> Lt. Shallon Oglesby	WV State Police	Director of Planning & Research	304-766-5807	<a href="mailto:shallon.t.oglesby@wvsp.gov">shallon.t.oglesby@wvsp.gov</a>	01/12/17	
Gerri Mason	Mineral County CASA Program	Director	304-788-0068		01/12/17	

Bailla Harvey

"

"

Vol Coordinator

"

"

[vc4mncocasa@gmail.com](mailto:vc4mncocasa@gmail.com)



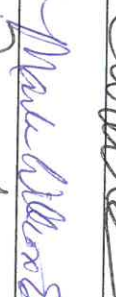
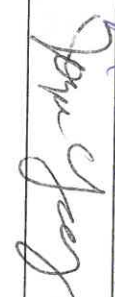



1/12/17





Name	Agency	Title	Phone Number	E-mail	Date	Signature
Debra Lopez-Bonasso	WVFRIS	Education Coordinator	304-366-9508	<a href="mailto:Dlb.wvfris@gmail.com">Dlb.wvfris@gmail.com</a>	01/12/17	
Sherry Eling	West Virginia Prosecuting Attorney's Institute	VAWA Resource Prosecutor	304-558-3348	<a href="mailto:Sherry.S.Eling@wv.gov">Sherry.S.Eling@wv.gov</a>	01/12/17	
Angela Saunders	WV Supreme Court of Appeals		304-	<a href="mailto:Angelia.Saunders@courts.wv.gov">Angelia.Saunders@courts.wv.gov</a>	01/12/17	
Jan Derry	Northern West Virginia Center for Independent Living	Executive Director	304-296-6091	<a href="mailto:jderry@nwvcil.org">jderry@nwvcil.org</a>	01/12/17	
Tracy Dorsey Chapman	U.S. Attorney's Office Southern District	WV Against Violence Committee Member - Victim/Witness Coordinator	304-345-2200	<a href="mailto:tracy.chapman@usdoj.gov">tracy.chapman@usdoj.gov</a>	01/12/17	
Kenyata Grant	West Virginia Coalition Against Domestic Violence	Community Organizer	304-965-3552	<a href="mailto:kgrant@wvcadv.org">kgrant@wvcadv.org</a>	01/12/17	
Lesli Forbis	Putnam County Sheriff's Department	Victim Advocate	304-586-0256	<a href="mailto:lesli.forbis@putnamwv.org">lesli.forbis@putnamwv.org</a>	01/12/17	
Michelle Dean	WV DHHR - BCF Policy	Program Manager - FVPSA	304-356-4556	<a href="mailto:Michelle.C.Dean@wv.gov">Michelle.C.Dean@wv.gov</a>	01/12/17	



Name	Agency	Title	Phone Number	E-mail	Date	Signature
Pippa McCullough	Shenandoah Women's Center - Dual Shelter/Program	Executive Director	304-263-8522	executivedirector@susc.wvc.org	01/12/17	
Nikki Erwin	Family Protection Services Board	Coordinator	859-948-3063	nikki.fpsb@gmail.com	01/12/17	
Marla Wilcox-Eddy	Family Counseling Connection - REACH Rape Crisis Center	REACH Director - WVAV Committee Member	304-543-2299	meddy@familycounselingconnection.org	01/12/17	
Joyce Yedlosky	West Virginia Coalition Against Domestic Violence	Team Coordinator	304-965-3552	joyce@wvcadv.org	01/12/17	
Sheriff Sonya Dingess Porter	Logan County Sheriff's Department	Sheriff	304-792-8599		01/12/17	
Cammie Chapman	WV Supreme Court of Appeals		304-340-345	director@csaw.us	01/12/17	
Kenosha Davenport	Family Refugee Center	Executive Director	304-645-6334	Cammie.Chapman@courts.wv.gov	01/12/17	
Sharon Pressman	CONTACT of Huntington	Executive Director	304-523-3447	Kenosha@familyrefugecenter.org	01/12/17	

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Asst. Director 304-523-3447



asst.dir@contacthuntington.com

Sharon Pressman  
Asst. Dir.



Name	Agency	Title	Phone Number	E-mail	Date	Signature
Emily Chittenden-Laird	WV Child Advocacy Network	Director	304-4144445	elaird@CNVcan.org	01/12/17	
Amanda McComas	Branched Domestic Violence Shelter	Executive Director	304-529-2382	mccomas@brandedvs.org	01/12/17	
Elizabeth Wehner	Legal Aid of West Virginia	Managing Attorney	304-343-3013 extension 2134	e.wehner@lawv.net	01/12/17	
Katie Spriggs	Shenandoah Women's Center	Program Manager	304-263-8522	kspriggs@swcinc.org	01/12/17	
Michael Jones	KISRA	Program Manager	304-395-6858	michaelj@kisra.org	01/12/17	
Sgt. Jeff Vance	Lewisburg Police Department	Detective	304-645-1626	<a href="mailto:jvance@lewisburg.wv.com">jvance@lewisburg.wv.com</a>	01/12/17	
Andrew Schneider	Fairness WV				01/12/17	
Marissa Collett	Change Inc.				01/12/17	

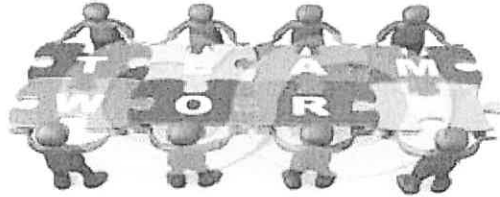


Name	Agency	Title	Phone Number	E-mail	Date	Signature
Troy Ball	Morgantown Police Department			tb652@aol.com	01/12/17	
Perri DeChristopher	Monongalia County Prosecuting Attorney	Prosecuting Attorney			01/12/17	
Lisa Tackett	WV Supreme Court of Appeals				01/12/17	
Sandra Calloway	B.M.E.E.K.	Director			01/12/17	
Patricia Bailey	Comprehensive Women's Services Council	Executive Director - FPSB President			01/12/17	
Kat McConnell	WV Senior Legal Aid				01/12/17	
Eric Powell	Morgantown Police Dept.	F/Sgt.	304-254-7447	epowell@morgantown.wv.gov	01/12/17	



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**STOP VAWA FOCUS GROUP MEETING**  
**January 12, 2017**  
**WV Coalition Against Domestic Violence Office**

**MEETING AGENDA**

- |              |   |
|--------------|---|
| <b>10:30</b> | <b>Welcome &amp; Introductions (Sarah Brown)</b>  |
|              | <b>Purpose of Meeting and STOP VAWA (Sarah Brown)</b>                                   |
| <b>11:00</b> | <b>Sexual Assault &amp; Services (Sarah Brown &amp; Nancy Hoffman)</b>                  |
| <b>12:00</b> | <b>Lunch On Your Own</b>  |
| <b>1:15</b>  | <b>Marginalized Communities (Sarah Brown &amp; Kenyatta Grant)</b>                      |
| <b>2:45</b>  | <b>Break</b>  |
| <b>3:00</b>  | <b>Shifts/Trends/Challenges in Providing Services</b>                                   |
| <b>3:30</b>  | <b>What is working? How can we improve Services and collaboration in the CJ System?</b> |
| <b>4:00</b>  | <b>Final Thoughts, Comments &amp; Questions</b>   |





### Sexual Assault Services

Type of Agency	Type of Services	Provide Services	Refer services	Not Provided
	Court accompaniment			
	Counseling Services			
	Support Groups			
	Criminal Justice Advocacy			
	Crisis Intervention			
	Hospital/medical response 24/7 services			
	Language Services			
	Transportation			
	Victim/Survivor Advocacy			
	Emergency Shelter			
	Transitional Housing			
	Hotline			
	Victim notification			
	Outreach			
	Investigation			
	Other			





1. Do sexual assault victims have a seamless delivery system in your county?

If not what are the gaps?

2. Are services provided to sexual assault victims by trained service providers at every point of entry in the system (advocacy, medical, law enforcement, prosecution, campuses, etc.)?

If not, where are the gaps and what training topics are needed?

3. Is collaboration among all of the key first responders to sexual assault victims in your community?

If so, does it need strengthened/who is missing?

If not where are the gaps?

For all three questions: Is your county/service area the norm for other counties in the state?

If you had to prioritize the top three needs in serving sexual assault victims, what would they be?





## Women of Color Network (WOCN)

### 3-Tier System Overview and Exercises

#### VAWA 2005 Definition of Underserved

"The term 'underserved populations' includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate." VAWA 42 U.S.C.A. § 13925(a)(33)

#### Defining Underserved, Un-served, and Inadequately Served

Underserved, un-served, and inadequately served "populations" or communities share an identity and a state of "being" and face service challenges due to historical or ongoing systemic and societal or community-based barriers based on factors such as:

Race	Ethnicity	Immigration Status and/or National Origin	Sovereignty/Indigenous Status
Sexual orientation/Gender Identity	Cultural, language, and/or literacy barriers	Geographic location	Faith, spirituality, or religious identity
Age: Youth and children	Age: Adults in later life	Mental disabilities or other mental health needs	Physical, cognitive, or sensory disability



Expanding and enhancing our understanding and approach to include this three-tier definition of underserved, un-served & inadequately served will enable us to include a *spectrum of needs*.

- **Un-served**
  - No services available
  - Severe isolation
- **Underserved**
  - Limited access
  - Moderate isolation
- **Inadequately served**
  - Over-represented
  - Access but limited quality

### Applying the Three-Tier definitions to the populations

State, district or territory \_\_\_\_\_

(Please check one definition – and only one – for each population)

POPULATION	Un-served	Underserved	Inadequately Served
API			
Black			
Disabilities			
Immigrant / Refugee			
Later life			
Latino/ Hispanic			
LEP			
LGBTQI			
Multi-ethnic			
Native			

This project was supported by Grant No. 2013-TA-AX-K032 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



**Emerging Issues/ Shifts or Trends relating to crime victims in your service area?**

Type of Victimization	Emerging Issue/Shift or Trend





**What is your STOP funds allowing you to do that's working well?**



**How Can We Improve Services and Collaboration in the System?**



## **Survey Questions:**



1. What type of agency do you represent?
2. What services are provided by your agency to sexual assault victims? List all that apply
3. What shifts in requested services relating to crime victims is happening in your community?
4. What are the emerging issues in your service area?
5. What are the gaps in services in your service area?
6. What cultural specific organizations are in your county or service area?
7. How would you rate collaboration in your service area in improving the response and providing services to victims?
8. What can your community do to improve the criminal justice system's response to crime victims?
9. What are the training needs for victim service providers?
10. What are the barriers to providing comprehensive trauma-informed services?



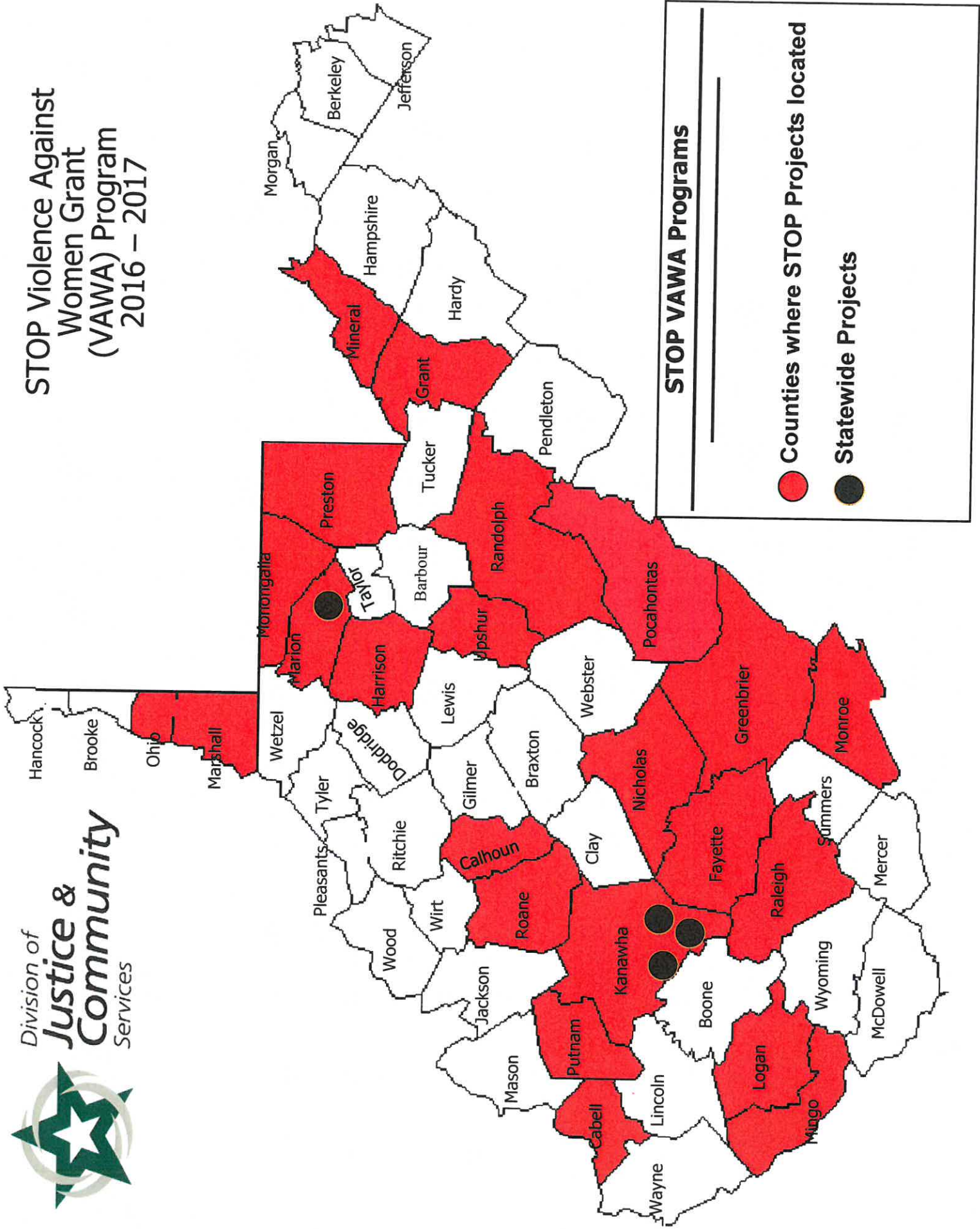
# **Appendix E**





Division of  
**Justice &  
Community**  
Services

## STOP Violence Against Women Grant (VAWA) Program 2016 – 2017

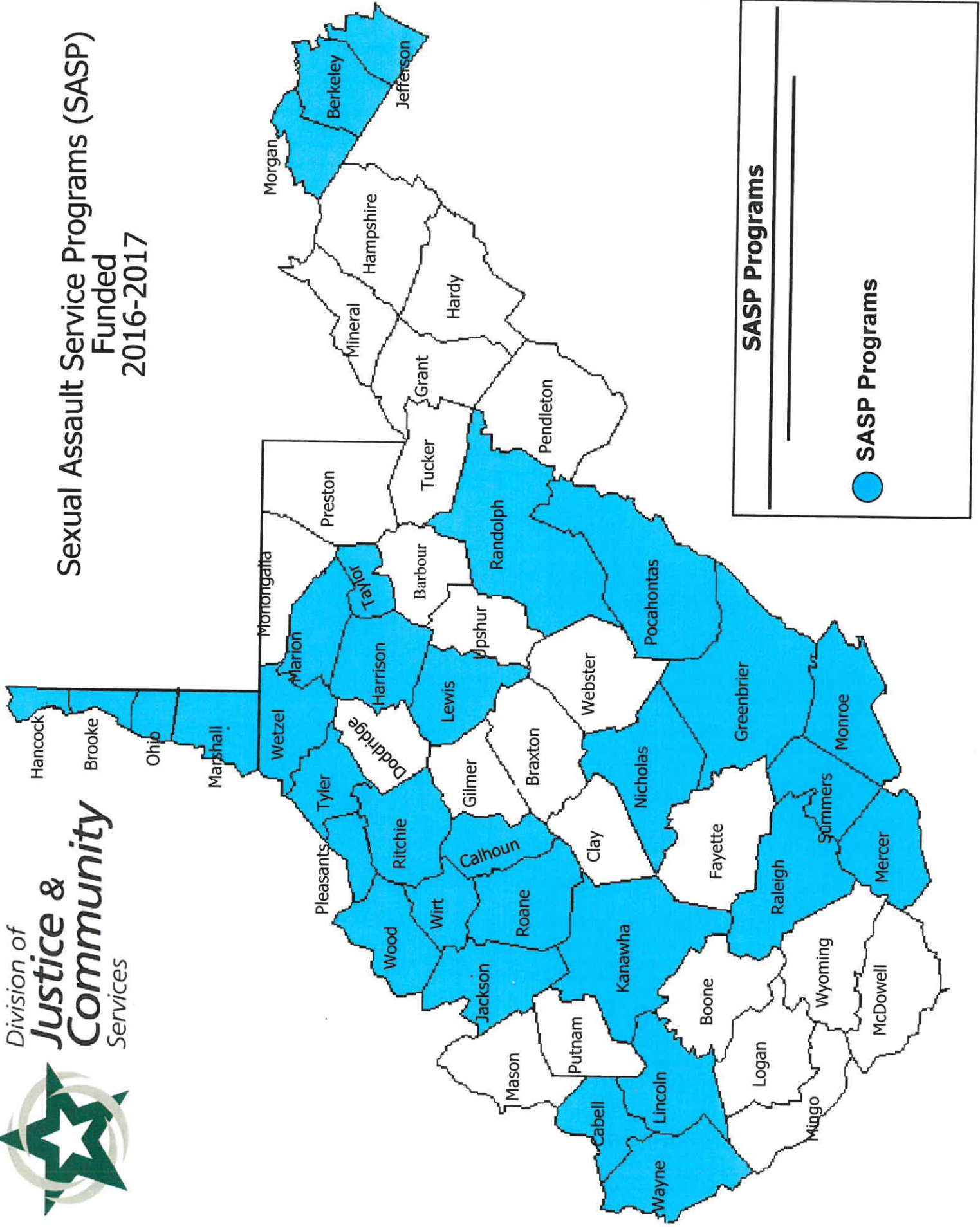






Division of  
**Justice &  
Community**  
Services

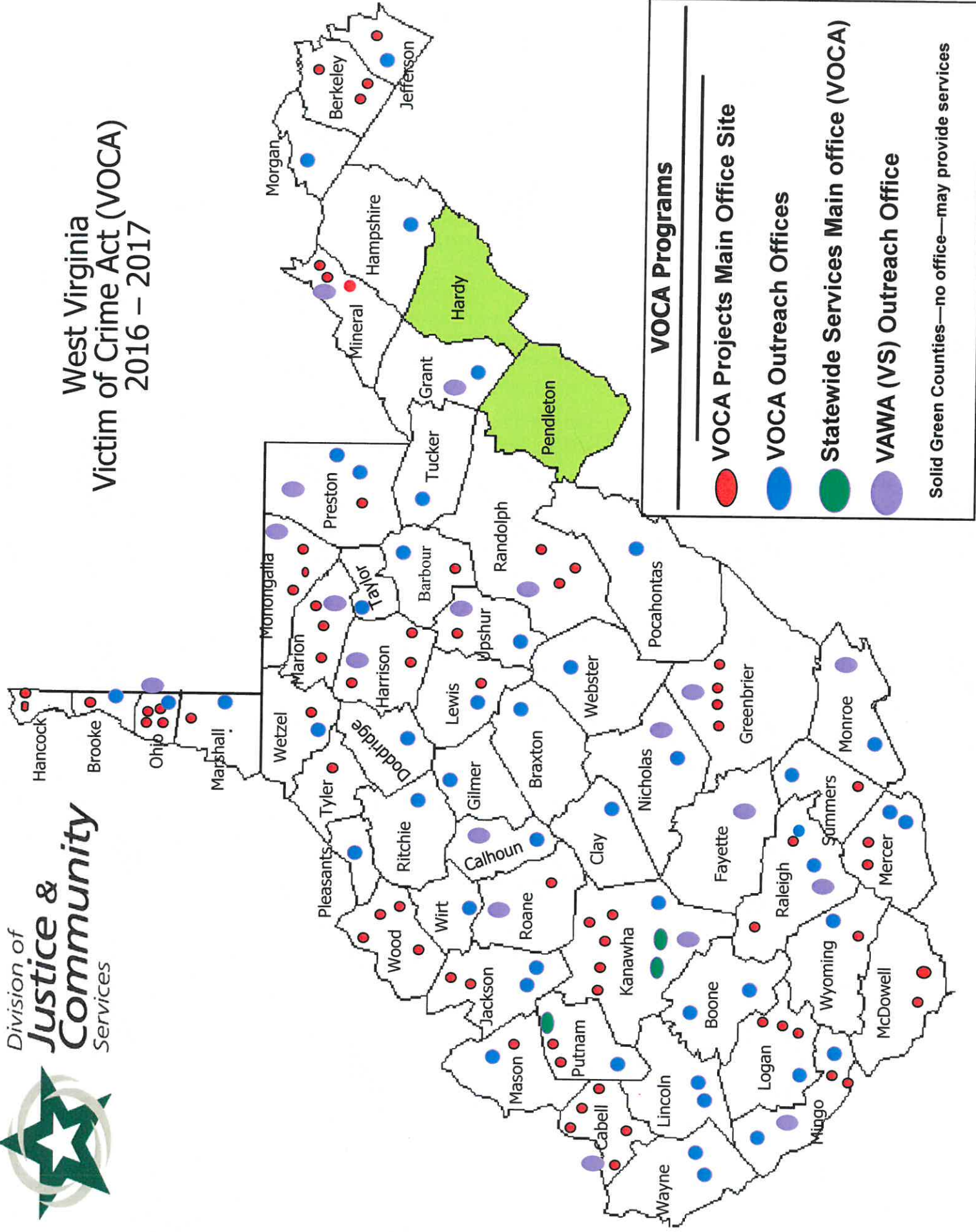
## Sexual Assault Service Programs (SASP) Funded 2016-2017







# West Virginia



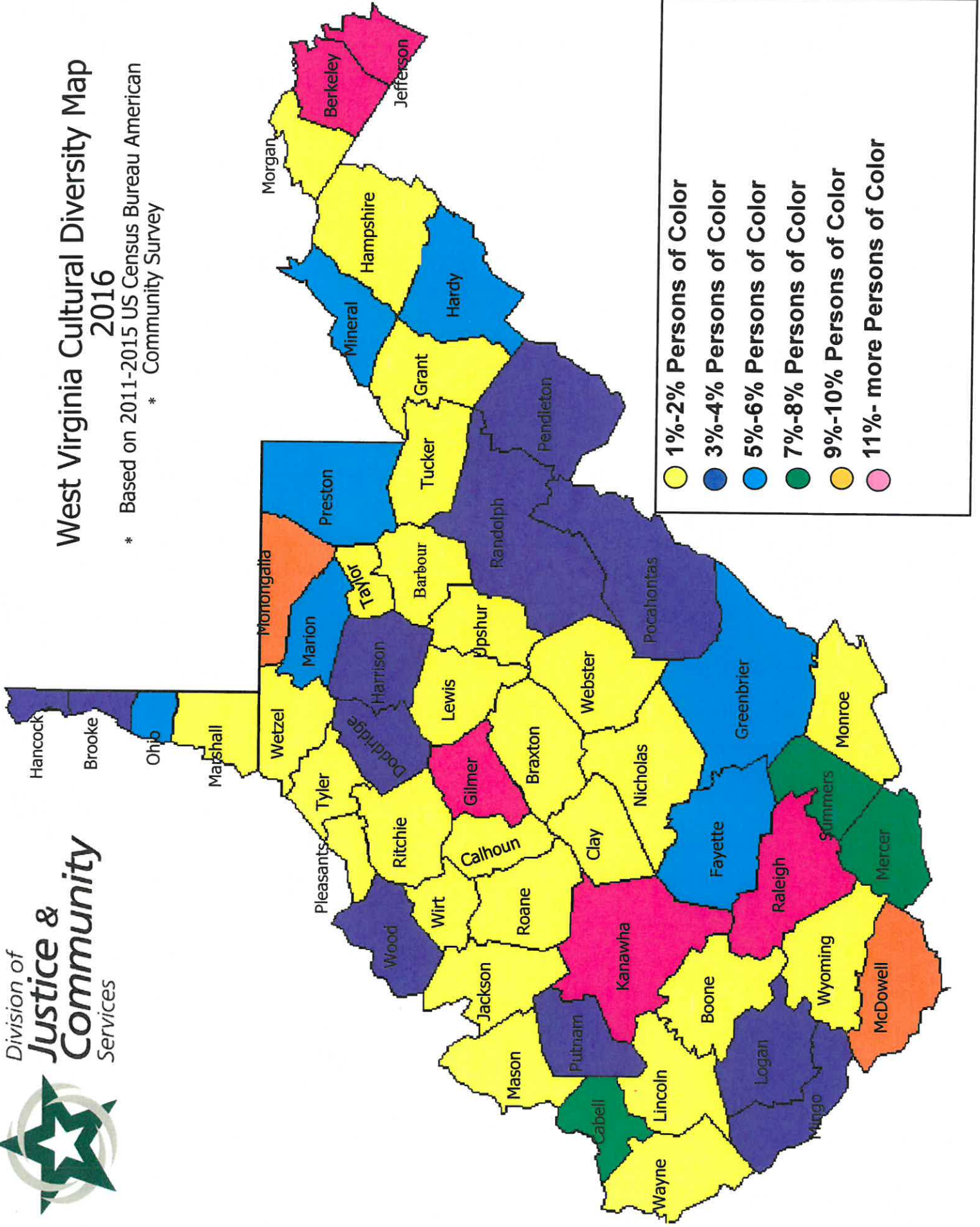




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**Justice &  
Community**  
Services

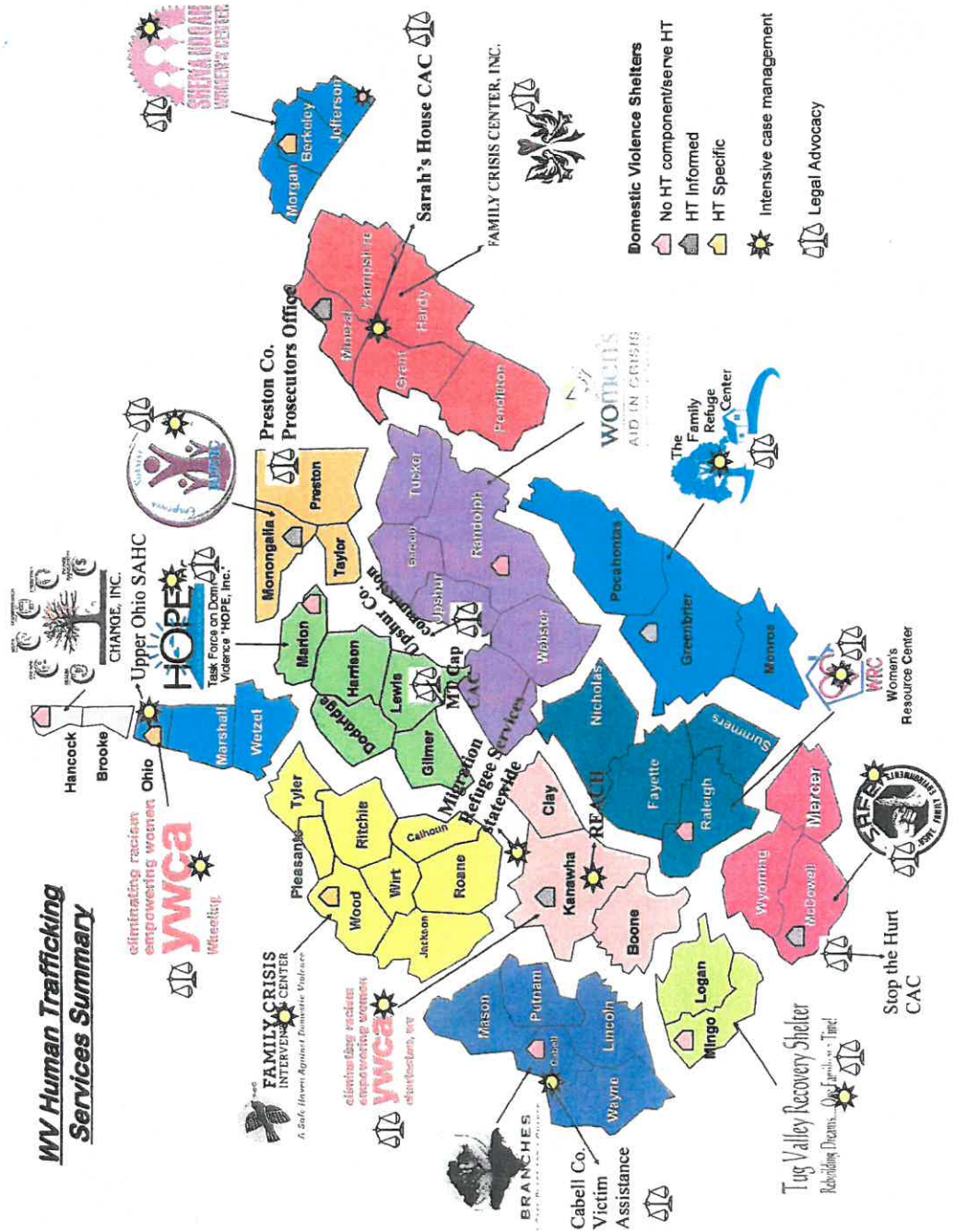
# West Virginia Cultural Diversity Map 2016

\* Based on 2011-2015 US Census Bureau American  
\* Community Survey





# **WV Human Trafficking Services Summary**





# APPENDIX F



# **Documentation of Participation in Planning Process**



## **Summary of Major Concerns with Final Plan**

- Only two comments concerning statistics and staff reviewed and the statistics were correct.
- Copies of the documentation which shows a draft plan was sent for agencies to review are on file at the DJCS office.



**STOP Violence Against Women Act (STOP VAWA) Formula Grant  
Program Implementation Planning Process**

**Documentation of Collaboration**

<b>State</b>	<b>West Virginia</b>
<b>Administering Agency</b>	<b>WV Division of Justice and Community Services</b>
<b>Agency Name</b>	
<b>Date</b>	
<b>Type of Agency</b>	
<b>Date of Focus Group Meeting</b>	

**The following questions should be answered by the Collaborating Agency and  
STOP Team Members:**

1. Did you participate in the planning (please circle one): **YES**                      **NO**  
Is so, did you participate (please check what is applicable):  
    **In Person**  
    **Though mailed survey questions**  
    **Survey**
2. Were you informed of Meetings (please circle one):    **YES**                      **NO**
3. Did you attend the meeting? (please circle one):    **YES**                      **NO**
4. Did you have adequate opportunity to discuss the concerns or issues impacting your  
    area of expertise and/or the population(s) you were representing?    **YES**                      **NO**
5. Did you receive a copy of the draft plan?    **YES**                      **NO**
6. Did you review the draft plan    **YES**                      **NO**
7. Do you feel the primary needs were addressed in draft plan?                      **YES**                      **NO**
8. Did you offer feedback/submit comments on draft plan?                      **YES**                      **NO**

Comments (type on separate pages):

I certify I have received a copy of the West Virginia STOP VAWA Implementation Plan for 2017-2020 and have reviewed the plan.

\_\_\_\_\_  
Signature



**STOP Violence Against Women Act (STOP VAWA) Formula Grant  
Program Implementation Planning Process**

**Documentation of Collaboration**

<b>State</b>	<b>West Virginia</b>
<b>Administering Agency</b>	<b>WV Division of Justice and Community Services</b>
<b>Agency Name</b>	
<b>Date</b>	
<b>Type of Agency</b>	
<b>Date of Focus Group Meeting</b>	

**The following questions should be answered by the Collaborating Agency and STOP Team Members:**

- |  |            |           |
|--|------------|-----------|
| 1. Did you offer feedback on draft plan?           | <b>YES</b> | <b>NO</b> |
| 2. Were your concerns addressed in the final plan? | <b>YES</b> | <b>NO</b> |

Provide any comments or concerns with the final plan (type on separate pages):

I certify I have received a copy of the updated West Virginia STOP VAWA Implementation Plan for 2017-2020 and have reviewed the plan.

---

Signature



# **Family Violence Prevention and Services Act Information**



**1) Agency contact info**

**Department of Health and Human Resources  
Bureau for Children and Families  
350 Capitol Street, Room 730  
Charleston, WV 25301  
Phone: (304) 558-7980; Fax (304) 558-4563  
Email: [Michelle.C.Dean@wv.gov](mailto:Michelle.C.Dean@wv.gov)**

**Dun and Bradstreet Number: 14-804-0327  
Central Contact Registration is Current**

**2) How will the state involve community-based orgs whose primary purpose is to provide culturally specific programming to underserved populations, including how such community-based orgs can assist the state in identifying and addressing the unmet needs of such populations, including involvement in the state planning process and other ongoing communication?**

The state has initiated an ambitious goal of developing a holistic picture of West Virginia's domestic violence and sexual assault services in the state. With this in mind, we have repurposed the Violence against Woman Act (VAWA) collaborative in West Virginia to becoming the planning collaborative for domestic violence and sexual assault services in the state. The members of the collaborative include:

- Joyce Yedlosky/Tonia Thomas Team Coordinators, West Virginia Coalition against Domestic Violence (WVCADV)
- Kenyatta Grant, Community Organizing Coordinator, WVCADV
- Sarah Brown, Senior Justice Program Specialist and VOCA and VAWA state administrator, DJCS
- Nancy Hoffman, Director, Foundation for Rape Information and Services
- Patricia Bailey, Director Women's Resource Center & Family Protection Services Board Chair
- Marla Eddy, Director REACH Rape Crisis Center
- Michelle Dean, Program Manager and state FVPSA administrator, Bureau for Children and Families (BCF)

The collaborative has developed a two-prong approach to identifying and including community-based -culturally specific programs in the state planning process. First, the collaborative planned and hosted a focus group. This focus group included participants from all backgrounds, who work with victims of domestic violence and sexual assault (see attachment for participant roster). The purpose of the focus group is to hear from various representatives of communities around the state as to the welfare of the services



provided and services still needed. The collaborative invited participants from culturally specific programs and minority groups, as well as, included a discussion led by Kenyatta Grant on the Woman of Color Network's three-tiered approach to serving marginalized communities. This group provided the opportunity for providers of service to hear the voices of those who feel services are not adequate for all cultural groups, as well as, the collaborative and funders to hear what services are needed to meet the specific needs of these communities.

Secondly, the collaborative worked with BCF, Community Partnerships unit, to survey the state's Family Resource Networks (FRN). FRN's are local coalitions of people working to better meet the needs and improve services for children and families in their communities. FRN's are an excellent resource for not only the formal service providers in a community, but also the informal. The collaborative utilized this resource to reach out to individual communities and specifically learn if there were any informal providers of domestic violence related services we could reach out too. This will provide us the opportunity to reach out to these groups and learn about potential underserved groups, but also unserved and inadequately served groups. The collaborative has identified this as a potential opportunity to open direct communication with the types of community-based groups that can provide insight unfounded in formalized groups.

- 3) A plan describing in detail how the needs of underserved populations will be met. "Underserved populations" include populations underserved because of geographic location (such as rural isolation); underserved racial and ethnic populations; populations underserved because of special needs (such as language barriers, disabilities, or immigrant status); LGBT or other populations determined to be underserved by a statewide needs assessment, the state planning process, or the Secretary of HHS. The State plan must:**
- a. Identify which populations are underserved populations; describe those that are being targeted for outreach services; and provide a brief explanation of why those populations were selected to receive outreach and services.**

While many population groups in our state can be identified as "underserved", we have primarily focused on our increasingly large rural population and taken a "we serve all" approach to other marginalized communities. Through our active participation with the Women of Color Network (WOCN) and our Collaborative's focus group, we have been able to identify a variety of underserved and inadequately served populations within our state. Our focus group identified underserved and inadequately served groups as:

- Persons with disabilities;
- Rural Communities;
- LGBTQI individuals, and;
- Persons of racial minorities



- Adolescents/youth

Through data information provided by our FVPSA sub-grantees, we have also been able to specifically identify African-American Women as disproportionately accessing shelter services and an increased presence in immigrant women in need of services, including translation services. The collaborative has yet to completely analyze and evaluate the information we have received and, as such, have yet to identify which groups will take priority focus.

- b. Describe the outreach plan, including the domestic violence training to be provided, the means of providing technical assistance and support, and the leadership role played by those representing and serving the underserved populations in question.**

What the Collaboratives finalized outreach plan will look like has yet to be determined. This is inclusive of the Collaborative's joint plan to address service provision in West Virginia. However, we anticipate that through the information obtained by the FRN's we will initiate direct contact with many of the community organizations or groups identified.

We will continue in our contract with the WVCADV to provide domestic violence trainings and technical assistance. WVCADV has also been working closely with the WOCN to ensure they take a structured approach to lifting up marginalized communities and ensure our service providers understand the need to be culturally sensitive and competent in their service provision. Further, the Collaborative has determined seats at the planning table should remain open to leaders of culturally specific organizations as they become identified.

All STOP VAWA and VOCA sub-grantees which include all fourteen licensed Domestic Violence Programs, are currently required to identify underserved populations in their service area(s) and how they will provide outreach and awareness of services as part of their applications. In the new Implementation Plan we will be requiring sub-grantees to use the approach of inadequately served, un-served, and not served for victims.

- c. Describe the specific and specialized services to be provided or enhanced, including new shelters or services, improved access to shelters or services, or new shelters for underserved populations and victims who are members of racial and ethnic minority populations, such as victims from communities of color, immigrant victims, refugees, LGBTQ individuals, adolescents, youth at risk, or victims with disabilities.**



The state intends on continuing to ensure literature and educational materials have a diverse population depicted and that materials are culturally sensitive and inclusive. Further the state intends on supporting efforts to diversify staff of shelters and services, develop community partnerships to provide referral to culturally specific organizations when available, and to receive the necessary trainings to educate staff on the importance of cultural competency.

The Collaborative has also determined that a unified plan to provide technical assistance to interested parties, including grassroots organizations, in navigating the state system to obtaining licensing, should they seek funding for shelter programs, or other funding which may be available is a needed service to our communities. While licensure and state regulations provide certain assurances in service provision, they create a relatively large barrier too many would-be organizations.

**d. Please list all tribes – N/A**

**4. A plan describing how the state will provide specialized services including trauma informed services for children exposed to family violence, domestic violence, or dating violence.**

West Virginia understands the grave impact and the deep connections trauma can have on one's mental and emotional health. As such, West Virginia has developed an extensive public/private partnership in its efforts to respond to trauma-inflicted individuals. The Department of Health and Human Resources (DHHR) recently mandated that all children who come into contact with our system, via Child Protective Services or Youth Services, shall have a Child and Adolescent Needs and Strengths (CANS) assessment completed. This assessment has been implemented through a statewide effort to ensure all children who experience trauma have a comprehensive assessment of their needs and strengths that will follow the child throughout their care. This is in an effort to ensure the child is receiving the appropriate services to address their trauma needs and are making progress in that treatment. As mentioned previously this system occurs in both the public and private child-serving systems. When a child in a domestic violence program is identified as having experienced trauma due to abuse and neglect, they are immediately referred to the DHHR for an investigation of the allegations and the completion of a CANS assessment. Additionally, our public/private partnership collaborated with Dr. John Lyons, author of the assessment, to ensure we could develop a CANS assessment particular to the needs of our children and youth that maintains the same evidence-base of the original assessment. Additionally we have begun to utilize the Adult Needs and Strengths Assessment (ANSA) in our adult services population. West Virginia continues in this on-going implementation of the CANS family of assessments as we move through the treatment planning phase of implementation as well as the statewide automation of the assessment.



Additionally, the state contracts with the WV Coalition against Domestic Violence to ensure trauma-informed trainings and technical assistance is provided to our shelters and community agencies throughout the state. Each training is tailored to the specific program, however, training on using a trauma-informed model for doing work pertaining to domestic violence includes helping participants to understand what is meant by trauma, the impact of trauma on the health and well-being, the trauma-brain connection, the potential short- and long-term effects, the Adverse Childhood Experiences Study and the impact of complex trauma, especially across the lifespan. Additionally, the training focuses on intervention and prevention strategies designed to help survivors and their family members, what is and is not helpful, referrals and resources and how to work with community-based programs that help victims.

**5. Include a description of how the state plans to use the grant funds to provide shelter, between domestic/dating violence organizations with documented histories of effective work and community-based organizations**

Each sub-grantee is required to provide shelter and supportive services to prevent incidents of family violence, domestic violence, and dating violence. Additionally, each agency is required to make referrals to appropriate community agencies to ensure a seamless delivery of services. Agencies must also provide assistance in referring victims of available state and federal financial resources and assistance which may be available to assist. Additionally, the WVCADV utilizes FVPSA funds to work with domestic violence programs and providers of direct services to educate on appropriately responding to domestic violence situations.

As mentioned previously, each of our programs provide shelter and supportive services. Below are the definitions for the required services to victims, as stipulated in contract for the use of FVPSA funds.

<b><i>Advocacy</i></b>	Assisting victims and survivors of domestic violence, sexual assault, stalking or human trafficking, and their children, in securing rights, remedies, and services by directly providing for or referring to public and private agencies to provide for safety planning, shelter, housing, legal services, outreach counseling, case management, information and referral, training, employment, child care, health care, transportation, financial literacy education, financial planning and related economic empowerment services, parenting and other educational services and other support services.
<b><i>Emergency Shelter</i></b>	A licensed domestic violence shelter created for the purpose of receiving, on a temporary basis, persons who are victims of domestic violence, abuse or rape as well as the children of such victims.
<b><i>Information and Referral</i></b>	Responding to a request for services with an assessment of the victim's needs and appropriate referrals to community resources to meet those needs.
<b><i>Peer Support</i></b>	Interaction, either in person or by phone and either individually or in a group. With the goals of validating the experiences of victims, exploring options with them and advocating for their safety, building on their strengths and avoiding victim-blaming, and respecting their right to self-determination.



<i>Services to Children</i>	Information and referrals, advocacy and structured activities designed to relate to physical, emotional, social, and intellectual needs of children.
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The state further intends on determining more effective means of ensuring that our providers collaborate with one another to allow the most qualified organization, agency, or group is referred to assist when necessary. This was another issue learned through our focus group. Many of our agency partners expressed frustration in not knowing who or what was out there and available to assist in cases of domestic violence and sexual assault that may be seemingly unrelated.

**6. A plan describing how the state will support programs in developing and sustaining an accessible, culturally relevant, and trauma-informed approach to service provision which must include (1) how the state will partner with the State Domestic Violence Coalition (Coalition) to identify what is needed to do trauma-informed work with sub-grantees and victims; and (2) how the state will partner with the Coalition to support training and/or technical assistance to promote trauma-informed care and to continue to build trauma-informed organizations.**

As the FVPSA state administrator we ensure we maintain a close working relationship our state Coalition against Domestic Violence. The Coalition has informed domestic violence policies for our agencies social services staff, has provided trainings to our child serving staff and other bureaus within our agency, and now provides trauma-informed trainings to our shelter programs. Each program receives a trauma-informed training that is tailored to each specific program needs. Though individualized, the overarching focus of the training is on using a trauma-informed model for doing work pertaining to domestic violence which includes helping participants to understand what is meant by trauma, the impact of trauma on the health and well-being, the trauma-brain connection, the potential short- and long-term effects, the Adverse Childhood Experiences Study and the impact of complex trauma, especially across the lifespan. Additionally, the training focuses on intervention and prevention strategies designed to help survivors and their family members, what is and is not helpful, referrals and resources and how to work with community-based programs that help victims.

Additionally, we anticipate through our partnership with VOCA and VAWA state administrators and the coalition to develop a unified four year plan, that the Coalition will develop and deliver much of the training and technical assistance that agencies, shelter and otherwise, identify as a needed.

**7. Describe the plan to ensure an equitable distribution of grants and grant funds within the state and between urban and rural area within such state.**

BCF developed the formula for distribution of funds in collaboration and consultation with the Family Protection Services Board and the WVCADV. The Department has limited the use of FVPSA funds to programs licensed by the Family Protection Services Board. The fourteen domestic violence programs in the state are the only licensed programs and therefore are the only agencies receiving FVPSA funds during the fiscal year. In addition to providing these funds to



the domestic violence programs and the WVCADV, the administrative fee of 5% is taken from the federal funds to pay incurred costs from managing this grant.

The FVPSA funds are divided equally among the fourteen domestic violence programs in the state. Each licensed domestic violence program maintains outreach offices in the counties within their catchment area that do not have shelter available, providing many of their non-shelter services.

**8. Provide complete documentation of consultation with and participation of the State Domestic Violence Coalition in the state planning process and monitoring of the distribution of grants and the administration of grant programs and projects**

BCF State administrator for FVPSA funds, Michelle Dean, has been attending the WVCADV quarterly board meetings and working to ensure compliance with state and federal regulations and to enhance communication between agencies. The WVCADV Board consists of the Executive Directors of the fourteen contracted domestic violence programs. Through this avenue the FVPSA state administrator has the opportunity to hear directly from the shelter programs, as well as, the Family Protections Services Board (licensing agency) as to outstanding issues needing addressed. Additionally, as discussed earlier, the state FVPSA administrator has engaged in a joint collaborative process for state planning which includes the VAWA and VOCA state administrators, the WVCADV, and others.

**9. Provide complete documentation of policies, procedures, and protocols that ensure personally identifying information will not be disclosed when providing statistical data in program activities and program services; the confidentiality of records pertaining to any individual provided family violence prevention services by any FVPSA- supported program will be maintained; and the address or location of any FVPSA-supported shelter will not be made public without the written authorization of the person or persons.**

All programs shall follow the rules of confidentiality as required by the West Virginia State Code in 49-7-1, 9-6-8 and 9-6-11. See attachment of West Virginia Department of Health and Human Resources Grant Agreement and 9-6-8 Confidentiality of Records.

**10. Provide a copy of the law or procedures, such as a process for obtaining an order of protection, that the state has implemented for the barring of an abuser from a shared household.**

See Attachment regarding West Virginia State Chapter 48 Article 26.

**11. Describe the efforts and activities, if any, to coordinate the State's Violence against Woman Act implementation plan, and the FVPSA state plan/application pursuant to the Violence Against Women Reauthorization Act of 2013.**

BCF has historically participated in the VAWA collaborative, chaired by the WV Division of Justice and Community Services (DJCS). The workgroup is responsible for assisting with the implantation set forth in the Violence Against Women Act, including all amendments. The BCF and DJCS have worked jointly through various workgroups and committees, most notably those



related to the rural VAWA grant, which focuses on the correlation between domestic violence and child abuse, and the Injury Prevention grant, which focused on the prevention of sexual assault victims, including people of later life and vulnerable adults. As mentioned previously, this group has now been repurposed to include the state planning process for VOCA, VAWA, and FVPSA grants. The group members are as follows:

- Joyce Yedlosky/Tonia Thomas Team Coordinators, West Virginia Coalition against Domestic Violence (WVCADV)
- Kenyatta Grant, Community Organizing Coordinator, WVCADV
- Sarah Brown, Senior Justice Program Specialist and VOCA and VAWA state administrator, DJCS
- Nancy Hoffman, Director, Foundation for Rape Information and Services
- Patricia Bailey, Director Women's Resource Center & Family Protection Services Board Chair
- Marla Eddy, Director REACH Rape Crisis Center
- Michelle Dean, Program Manager and state FVPSA administrator, Bureau for Children and Families (BCF)

This group recognizes the need for a unified plan and vision to end interpersonal violence and sexual assault. The collaborative held a focus group designed to understand the needs of our communities and to learn what is working well and what is not working across communities and professions. Important information was obtained through this group, including the need for a collaborative system. **The VAWA Collaborative will ensure the development of a four year plan to include a holistic view of domestic violence, sexual assault, stalking and dating violence crime victims in the state and which targets identified needs and gaps in services, to create an improved system in the state.**

**12. Applicants must include a signed copy of the assurances as required by Section 10401.**



## **LETTERS REGARDING GRANT FUNDS**





# West Virginia Foundation for Rape Information and Services, Inc.

112 Braddock Street, Fairmont, WV 26554 304-366-9500 FAX 304-366-9501

March 12, 2017

Sarah Brown  
Division of Justice and Community Services  
1124 Smith Street, Suite 3100  
Charleston, WV 25301

Dear Sarah,

The State's sexual assault coalition, the West Virginia Foundation for Rape Information and Services (FRIS), fully supports West Virginia's application for STOP Violence Against Women Funds. State funds for sexual violence are extremely limited, so STOP funding helps fill a gap in comprehensive services for victims of sexual violence on the local level. On the state level, these funds assist the coalition in providing a more comprehensive, collaborative response to victims of stalking and sexual violence. Specifically they enable the facilitation of an Intercollegiate Council to address sexual assault and stalking on our campuses and the SANE Advisory Board to address gaps in access to quality forensic exams. Anticipated outcomes of these continued collaborations include increased victim-centered services to our college-aged students, improved forensic evidence collection as well as data collection on forensic evidence collection in the state for victims of all ages, abilities and demographics.

STOP funds will be used to assist in training first responders. These include sexual assault nurse examiners through specific SANE trainings as well as increasing the capacity of local service providers to better respond to victims of sexual assault and stalking. As these first responders identify needs of victims from special populations in the State, we are working to assist them in meeting those needs. We recognize that services are only as effective as the person's skills in delivering them, so as a coalition we are working to enhance the skills of service delivery providers through multidisciplinary trainings on the issues of stalking and sexual violence – the only such trainings provided West Virginia.

On behalf of victims in our State, we encourage your continued support of West Virginia's STOP grant application.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Hoffman". The signature is written in a cursive, flowing style.

Nancy Hoffman  
State Coordinator





west virginia  
**Coalition Against  
Domestic Violence**  
*for a safer state of family*

5004 Elk River Road, South  
Elkview, WV 25071  
P: 304.965.3552  
F: 877.335.2306

[wvcadv.org](http://wvcadv.org)

March 9, 2017

Office on Violence Against Women  
800 K Street, NW  
Suite 920  
Washington, DC 20530

To Whom It May Concern:

I am writing to inform you of the importance of the STOP Violence Against Women Act funding for the state of West Virginia. STOP VAWA funds allow the community to address domestic violence, sexual assault, stalking and dating violence as a collaborative effort.

The West Virginia Coalition Against Domestic Violence (WVCADV) is a statewide, non-profit organization committed to ending personal and institutional violence in the lives of women, children, and men. The organization is composed of a Coalition Statewide Office (CSO) and fourteen licensed domestic violence programs. WVCADV has a successful history of developing and implementing projects that address the complex dynamics of domestic violence. Current WVCADV projects reflect partnerships with the legal and criminal justice systems, education and health care systems, the judicial system, and allied state and federal agencies.

West Virginia has approximately 1.8 million residents and is a primarily rural state with 64% of residents living in rural areas and only 36% living in urban areas. Per the FY 2014-2015 domestic violence database report, 14,901 persons received services from licensed domestic violence programs in the state. Of the persons receiving services, WVCADV was able to collect aggregate demographic characteristics including age, marital status, disability, race, ethnicity, and gender. Non-identifying information is collected at the statewide office.

#### **Need, Use, and Expected Results of STOP Funds**

Statewide Domestic Violence Database Project - Timely and precise data is invaluable in developing long-range or strategic plans, assessing client needs, evaluating project activities, compiling funding requests, responding to funders, and providing current statistical information to policy makers, law makers, and the public.



Past grants from the STOP Violence Against Women Program (STOP) have enabled the Coalition to continue development of and provide high quality training and technical support for the West Virginia Domestic and Sexual Violence Database. Used and critiqued by all licensed domestic and sexual violence programs, the database system has matured through numerous versions, each a marked improvement on the prior. Nineteen successive STOP grants have enabled WVCADV to make improvements and refinements in the database system and to respond to the data evolving management and training needs of the local programs.

In addition to the statewide database project, the financial assistance provided by the STOP grants over the last nineteen years allowed the Coalition to contract with a team of computer consultants and thereby increase staff and programmatic technology skill, knowledge, and capacity.

STOP funding assisted the Coalition to establish an Internet domain host for the Coalition's web page as well as a secure network for the database project. High speed, secure access to the internet enables the Coalition Statewide Office to perform internet research on a variety of domestic violence issues, to search for funding opportunities, submit grant applications, track state and federal policies which effect domestic violence victims, and to sharpen and define communications with each other in a more efficient and effective way.

The Coalition's "Technology Team", composed of computer specialists who provide training and technical assistance, includes Osnum, and two Computer Technicians. Osnum provides the database software and technical assistance to programs; one computer technician is assigned to the database and coalition servers; and the other computer technician provides in-house hardware and software support.

Benefits associated with the database system, recent technological advances, and the critical role these components play in meeting the technology needs of the Coalition Statewide Office and domestic and sexual violence programs highlight the need for the WVCADV to enlist the leadership, training, and technical assistance services of the "Tech Team". Based on the number and variety of requests for support received and the continued development of electronic services, the Coalition affirms that the availability of technical assistance is a necessity in today's electronic world.

Cultural Competency Training and TA Project - Funding from the STOP Grant will enable continued training and technical assistance for advocates and STOP Teams.

In order to gain a deeper understanding of cultural accountability, there is an ongoing need to educate on areas of competency, sensitivity, privilege and awareness. The goal is to elevate the consciousness regarding cultural realities by applying a different lens to recognize issues affecting marginalized groups. The lack of diversity in West Virginia is reflected in the low percentage of people of color and members of the LGBT members residing in this state. It is clear that in order to prevent racial, ethnic and divisions based on sexual orientation, understanding and respecting other cultural aspects will assist in overcoming structures of racism and heterosexism that enables social change to occur. The recent political climate and the insensitivity towards marginalized communities expands the need considerably to encouraging a deeper understanding regarding cultural diversity.



In conjunction with the Women of Color Network (WOCN), WVCADV developed a statewide anti-oppression action plan to use as an accountability measure for the organization. The action plan upholds the ongoing need to inform and educate on the interrelation of the various forms of oppression. The plan was developed as a compilation of needs identified through the WVCADV statewide Advocate of Color Network, Rainbow Justice League, Advocates Aspiring for Equity and WVCADV/WOCN coalition project. The goals in the plan address continued needs to:

- Educate advocates & allies on issues of racism and oppression;
- Establish and maintain a group for the mainstream advocates and WVCADV staff that will work in conjunction with the ACN;
- Support the Advocacy of Color Network (ACN) and the Rainbow Justice League (statewide LGBT Advocacy Group);
- Expand outreach to communities of Color and LGBT;
- Engage marginalized communities in policy development and advancement.

Previous STOP grant projects were successful because of the willingness to prioritize issues of oppression and the impact on victims. This project will capitalize on the educational trainings on providing extensive technical assistance for advocates, members of STOP Team, community members and allied organizations. Grant funding will continue to address:

- Ways to shift our approach to support underserved, un-served and inadequately served populations.
- The impact of heterosexism, sexism and racism on victims from communities of color and LGBT community experiencing domestic violence, sexual assault and stalking.
- Marginalized communities lack of participation in coordinated community responses, advocacy and community organizing.
- Non-discrimination grant conditions indicated in VAWA 2013
- The lack of culturally specific outreach and services to provide remedies and support in addressing additional barriers specific to marginalized groups. (i.e. employment and housing discrimination, fear and mistrust of the criminal justice system, gender policies that decrease transgender shelter options, discriminatory experiences as a result of systemic and internal heterosexism and racism)

### **Demographic Characteristics of Populations to be Served**

West Virginia is primarily a rural state with a low population (1,831,102 people in 2015) of which 6.8% are people of color. It is estimated that a total of 3% West Virginians identify as LGB or T compared to the national average of 3.4%<sup>1</sup>.

According to the 2015 Census, the racial composition of the West Virginia's population was:

- 93.6% of the population was non-Hispanic White
- 3.6% Black or African American
- 0.2% American Indian and Alaska Native
- 0.8% Asian American

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<sup>1</sup> Gallup Special Report: The U.S. Adult LGBT Population - See more at: <http://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/gallup-special-report-18oct-2012/#sthash.SQ7nWjt6.dpuf>



- 1.5% Hispanic or Latino
- 1.6% Multiracial American (non-Hispanic).
- 0.1% Other

This project will target populations that consist of STOP Team members and domestic violence advocates. The motivation of this project is to provide comprehensive culturally specific services to marginalized communities by providing training, specific outreach methods, and technical assistance with a specific focus on the LGBT community and communities of color.

The West Virginia Coalition Against Domestic Violence pledges full cooperation and strongly affirms leadership and staff efforts of the WV Division of Justice and Community (DJCS). Throughout the funding cycles of VAWA, strong and effective partnerships with DJCS have enhanced and expanded a statewide coordinated response to interpersonal violence. The professional leadership and administration of the program has been effective, efficient, and a model for cooperative efforts among federal, state, and local agencies.

WVCADV strongly urges the Office on Violence Against Women to provide continued support for the development of the STOP program in West Virginia.

Thank you for your serious consideration of the DJCS proposal for support.

Sincerely,



Tonia Thomas  
Team Coordinator





Upper Ohio Valley  
Sexual Assault Help Center Inc.  
P.O. Box 6764  
Wheeling, WV 26003  
Business Office: 234-1783

Sexual Assault Help Center Inc.

January 25, 2017

West Virginia Division of Justice and Community Services  
1124 Smith St, Ste 3100  
Charleston, WV 25301-1323

To the Application Committee:

As director of the Upper Ohio Valley Sexual Assault Help Center, Inc., I am writing in support of the Ohio County STOP Team's application for STOP-VAWA funds.

The activities funded under this proposed project assist SAHC in providing services to victims of sexual violence, particularly those in underserved populations such as individuals with disabilities, etc. As a STOP team member for the last two years, SAHC has been able to increase services to all victims through the enhancement of the 24/7 crisis hotline and increased capacity to accompany victims to court proceedings. VAWA funding has allowed SAHC the opportunity to recruit, train, and retain an increased number of volunteer advocates to staff the 24/7 crisis hotline to assist victims of sexual assault at any time of day. It is my sincere belief that over the years the funding provided through VAWA to SAHC has allowed for additional support for victims of sexual violence. Continued funding will allow us to maintain this level of support and augment court advocacy services for victims.

Ohio County's current population is estimated at 43,328 residents by the US Census Bureau. Over half of this population is female. Demographic breakdowns are as follows: 3.7% African American; 2.0% mixed race; 1.1% Hispanic or Latino; 0.8% Asian; 92.4% white. Specific demographics as it pertains to this application include 3,771 veterans living in Ohio County, 11% of persons under age 65 are disabled, and 19.4% of Ohio County residents live below the poverty line.

The Ohio County STOP team, formed in 1998, has been an invaluable asset for Ohio County. Domestic violence, sexual assault, dating violence, and stalking can affect anyone without regard to the victim's age, sex, sexual orientation, religious affiliation, economic status, mental and or intellectual acumen, race, political affiliation, or other discernable affiliation.

Thank you for your past support of this project and your consideration for continued support.

Sincerely,

A handwritten signature in cursive script that reads "Megan Palmer".  
Megan Palmer



OV/MC



January 25, 2017

Sarah Brown  
Senior Justice Program Specialist  
WV Division of Justice and Community Services  
1124 Smith Street Suite 3100  
Charleston, West Virginia 25301-1323

Dear Ms. Brown:

As Outreach Coordinator for Women's Aid in Crisis, I write in support of the Upshur County Commissions STOP Violence Against Women Grant Program Application for Project Period July 1, 2017 – June 30, 2018.

As a member of the STOP Team, I assisted with the development of the application. I believe that the application fully details Upshur County's need for the grant funds, intended use of the grant funds, and expected results from the use of the grant funds.

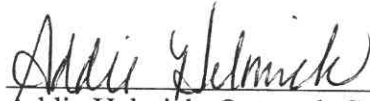
Upshur County victims of domestic violence, sexual assault, stalking, and dating violence crimes are the population that will be served by this grant. The demographic characteristics of this population can be found in the 2015 People Quick Facts for Upshur County, West Virginia provided by the United States Census Bureau. The demographic characteristics are detailed as percentages of the total population as follows:

Persons under 5	5.6 %
Persons under 18	20.6 %
Persons above 65	18.2 %
Females	50.4 %
White alone	97.4%
Black or African American alone	0.9%
Language Other than English Spoken at Home	0.9%



My agency strongly supports the continuation of STOP VAWA funds to assist the citizens of Upshur County.

Sincerely,

A handwritten signature in cursive script, reading "Addie Helmick", written over a horizontal line.

Addie Helmick, Outreach Coordinator  
Women's Aid in Crisis

SJM/pcr





## Domestic Abuse Response Team

P.O. Box 585 Grantsville WV 26147

304-354-9254 or 1-800-794-2335

[lorifleagle@yahoo.com](mailto:lorifleagle@yahoo.com)

Re: Letter of support for the Domestic Abuse Response Team and Outreach office in Calhoun County, West Virginia.

To whom it may concern:

This Letter is to confirm the need and support for the Domestic Abuse Response Team, (DART) the Calhoun County STOP Team.

I Lori Fleagle have worked in the DART office since 1996. This STOP team was one of the pilot programs for the State of West Virginia. I have worked hard for 20 years with Law Enforcement officers and the Prosecutor of Calhoun County and can relate too many of the serious problems that have risen out of domestic violence situations. I have responded to calls where women and children have been abused, neglected and times when domestic assaults or battery was committed in the home. I found that victims of domestic related problems could be assisted with education, counseling, or prevention of domestic offenses due to the funding of the VAWA that was simply non-existent before the VAWA. Without the VAWA Calhoun County would go back to having just a poster on a wall with a hot-line number on it to the Shelter 50 miles away. Calhoun County is one of the most rural counties in the State of West Virginia and this STOP team over the last 20 year with the help of VAWA has helped over 1000 clients not counting men and children. We have provided Public Awareness, Civil Legal Advocacy, CJ support/Advocacy, Crisis Advocacy, Medical Advocacy, Hotline Advocacy, Support Groups, Transportation and Language Services to a underserved population. We have helped all victims of ages, races and ethnicities free of charge in a community of 7400 people.

I greatly appreciate the assistance you have provided to our community with the VAWA fund to help victims of rape, abuse, stalking and dating violence. Making it possible to reach out and help victims that otherwise would have no resources at all. Safety of victims is number one in Calhoun County and we will continue to offer resources to victims with the help of the VAWA. I am proud to have worked with the STOP Team the last 21 years. I assure you I will support this effort any way I can.

Sincerely yours,

Lori Jean Fleagle, dva  
Outreach Coordinator

1-4-17





# Minnie Hamilton Health System

January 4, 2017

Family Crisis Intervention Center  
PO Box 695  
Parkersburg, WV 26102  
Attn: Emily Larkin

Re: Letter of support for the Domestic Abuse Response Team

Dear Ms. Larkin,

Minnie Hamilton Health System is pleased to continue support Lori Fleagle and the Domestic Abuse Response Team (DART). Minnie Hamilton will provide medical services that will assist the program in securing the safety of domestic violence victims.

Since the conception of the DART program in Calhoun County, we at Minnie Hamilton have been very pleased with the efforts made to protect the men and women in this area through your program. Please keep up the good work and we look forward to working your program in the future.

Sincerely,

Barbara J. McKown  
Community Outreach Coordinator



Marion County  
367-1100

Harrison County  
624-9835

Gilmer County  
462-5352

**Task Force on Domestic Violence**

Doddridge County  
873-1416



Lewis County  
269-8233

P.O. Box 626  
Fairmont, West Virginia  
26555-0626

February 1, 2017

VAWA Program Committee  
West Virginia Division of Justice and Community Services  
1124 Smith St Suite 3100  
Charleston, WV 25301

Dear Committee Members,

The Task Force on Domestic Violence, "HOPE, Inc." is pleased to give support of the West Virginia STOP Violence Against Women FY 2016 Grant Program in Marion County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Marion County to receive an improved, coordinated response to their situation using a Team approach. This grant will allow us to have a part-time staff position that will be able to serve victims of domestic violence, dating violence, and stalking, with a special emphasis on victims of sexual violence. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Marion County.

Sincerely,

A handwritten signature in black ink, appearing to read "Harriet Sutton".

Harriet Sutton  
Executive Director



United Way



# Tug Valley Recovery Shelter

"Helping Rebuild Dreams...One Family at a Time!"



February 2, 2017

Sarah J. Brown  
Division of Justice & Community Services  
1124 Smith Street, Ste. 3100  
Charleston, WV 25301-1323

Re: STOP VAWA Grant Proposal-Logan County

Dear Sarah,

Please accept this Letter of Support from myself and the Tug Valley Recovery Shelter Board of Director's. TVRS strongly supports this grant proposal for Logan County for fiscal year 2017-2018. The continued funding of this grant is vital in order that we may continue providing services for victims of domestic violence, sexual assault, stalking and dating violence. The Court advocate funded through this grant plays an important role in the provision of services for these victims, those services will include, but not be limited to the following:

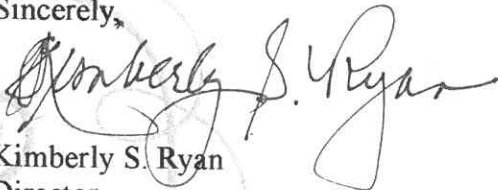
- ★ Providing assistance for victims when filing domestic/protective orders in Magistrate Court
- ★ Providing information and referrals that is important for their safety
- ★ Working collectively with the Logan County Prosecuting Attorney's Office and the Logan County Sheriff's Department making certain that all issues facing victims of the above crimes are being addressed
- ★ Working with these agencies to decrease these crimes in Logan County

The services funded through this grant will serve these victims in Logan regardless of age, marital status, disability, race, ethnicity or language background.

Your approval of this grant will assure that current service will continued unabated and make justice more attainable for all victim of these crimes in Logan County.

Thanking you in advance for your favorable consideration of this grant proposal.

Sincerely,

  
Kimberly S. Ryan  
Director

/KSR

PO Box  
Williamson, WV  
304-235  
304-235



# Tug Valley Recovery Shelter

"Helping Rebuild Dreams...One Family at a Time!"



February 2, 2017

Sarah J. Brown  
Division of Justice & Community Services  
1124 Smith Street, Ste. 3100  
Charleston, WV 25301-1323

Re: STOP VAWA Grant Proposal-Mingo County

Dear Sarah,

Please accept this Letter of Support from myself and the Tug Valley Recovery Shelter Board of Director's. TVRS strongly supports this grant proposal for Mingo County for fiscal year 2017-2018. The continued funding of this grant is vital in order that we may continue providing services for victims of domestic violence, sexual assault, stalking and dating violence. The Court advocate funded through this grant plays an important role in the provision of services for these victims, those services will include, but not be limited to the following:

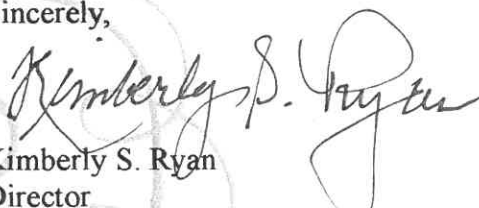
- ★ Providing assistance for victims when filing domestic/protective orders in Magistrate Court
- ★ Providing information and referrals that is important for their safety
- ★ Working collectively with the Mingo County Prosecuting Attorney's Office and the Mingo County Sheriff's Department making certain that all issues facing victims of the above crimes are being addressed
- ★ Working with these agencies to decrease these crimes in Mingo County

The services funded through this grant will serve these victims in Mingo regardless of age, marital status, disability, race, ethnicity or language background.

Your approval of this grant will assure that current service will continued unabated and make justice more attainable for all victim of these crimes in Mingo County.

Thanking you in advance for your favorable consideration of this grant proposal.

Sincerely,

  
Kimberly S. Ryan  
Director

/KSR

PO Box 677  
Williamson, WV 25661  
304-235-6121  
304-235-6167





# FAMILY REFUGE CENTER

Serving Greenbrier, Monroe and Pocahontas Counties

January 30, 2017

Sarah Brown  
West Virginia Division of Justice and Community Services  
1124 Smith Street, Suite 3100  
Charleston, WV 25301-1323

RE: STOP VAWA Application


Dear Sarah,

I am writing to inform you of the importance of the continued STOP Violence Against Women Act funding for Monroe County. VAWA funds have allowed the community to address domestic violence, sexual assault, stalking and dating violence as a collaborative effort. The dedicated staff of Family Refuge Center and the STOP team in Monroe County has continued to be an effective team working at improving service delivery to victims.

Our advocate is providing vital advocacy to clients while working closely with law enforcement and the Prosecutor's office. The STOP team has worked to improve community awareness of services which has resulted in more referrals. In addition, the cross training that typically takes place at our meetings has improved interagency referrals.

Over the next year, we plan to take a closer look at the gaps in service delivery for communities of color and increase outreach to those communities. This funding will be essential to doing this work and our community depends on the services that are paid for by the VAWA grant funds. If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Kenosha Davenport  
Executive Director

RECEIVED

FEB 03 2017

Division of Justice &  
Community Services

P.O. Box 249  
Lewisburg, WV 24901  
304-645-6334

P.O. Box 414  
Union, WV 24983  
304-772-5005

919 10th Avenue  
Marlinton, WV 24954  
304-799-4400

Website - [www.familyrefugecenter.org](http://www.familyrefugecenter.org)





# I am for the child™

*"We believe all children deserve the right to have a voice in court."*

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

CASA of the Eleventh Judicial Circuit is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

CASA of the Eleventh Judicial Circuit will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that CASA of the Eleventh Judicial Circuit and the Family Refuge Center have embraced this project.

Sincerely,

Jenny Castle  
Executive Director

CASA of the ELEVENTH JUDICIAL CIRCUIT, WV, Inc.

Post Office Box 1142, Lewisburg WV 24901

Telephone: (304) 645-5437 Facsimile: (304) 645-4500 [casal1c@live.com](mailto:casal1c@live.com) [CASAadvocates.org](http://CASAadvocates.org)



Greater Greenbrier Valley Community Foundation

Hollowell  
Foundation

The Jeanne G Hamilton & Lawson W Hamilton Jr. Family Foundation  
*...and other donors*







## Child & Youth Advocacy Center

Child & Youth Advocacy Center  
212 W. Washington St.  
Lewisburg, WV 24901

Phone: 304-645-4668  
Fax: 304-793-4669  
E-mail: [cyac@suddenlinkmail.com](mailto:cyac@suddenlinkmail.com)  
Website: [www.childandyouthadvocacy.org](http://www.childandyouthadvocacy.org)

January 23, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The Child and Youth Advocacy Center (CYAC) is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The CYAC will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that the CYAC and the Family Refuge Center have embraced this project.

Sincerely,

*Katherine D. Thompson*

Katherine Thompson  
Executive Director





# FAMILY REFUGE CENTER

Serving Greenbrier, Monroe and Pocahontas Counties

January 30, 2017

Sarah Brown  
West Virginia Division of Justice and Community Services  
1124 Smith Street, Suite 3100  
Charleston, WV 25301-1323

RE: STOP VAWA Application


Dear Sarah,

I am writing to inform you of the importance of the continued STOP Violence Against Women Act funding for Greenbrier County. VAWA funds have allowed the community to address domestic violence, sexual assault, stalking and dating violence as a collaborative effort. The dedicated staff of Family Refuge Center and the STOP team in Greenbrier County has continued to be an effective team working at improving service delivery to victims.

Our advocate is providing vital advocacy to clients while working closely with law enforcement and the Prosecutor's office. The STOP team has worked to improve community awareness of services which has resulted in more referrals. In addition, the cross training that typically takes place at our meetings has improved interagency referrals.

Over the next year, we plan to take a closer look at the gaps in service delivery for communities of color and increase outreach to those communities. In addition, the STOP team is working to identify training needs of service providers in the community. This funding will be essential to doing this work and our community depends on the services that are paid for by the VAWA grant funds. If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Kerisha Davenport  
Executive Director

RECEIVED

FEB 02 2017

P.O. Box 249  
Lewisburg, WV 24901  
304-645-6334

P.O. Box 414  
Union, WV 24983  
304-772-5005

Division of Justice &  
Community Services  
919 10th Avenue  
Marlinton, WV 24954  
304-799-4400

Website - [www.familyrefugecenter.org](http://www.familyrefugecenter.org)





## CASA of the Eastern Panhandle, Inc.

336 South Queen Street

Martinsburg, WV 25401

304.263.5100 • 304.263.5111 Fax

[www.mycasaep.org](http://www.mycasaep.org)

February 1, 2017

Re: Letter of Support for:  
STOP VAWA TEAM

To Whom It May Concern:

I am the Executive Director for CASA of the Eastern Panhandle, INC. (CASA-EP). We are a 501c3 not-for-profit corporation whose mission is to recruit, train, manage and retain community members as Court Appointed Special Advocates or CASAs. Once sworn-in as an officer of the court by a circuit court judge a CASA will speak out for children birth to age 18 who have been removed from their homes due to wanton abuse and neglect by the hands of their caregivers. A CASA will advocate in the judicial and foster care systems as to the best interests, rights, and safe and permanent placement for these children.

On behalf of CASA-EP, and with great pleasure, I write this letter in support of funding for the STOP TEAM and its members:

Shenandoah Women's Center (SWC), Community Alternatives to Violence (CAV), Martinsburg Police Department, Berkeley County Sheriff's Department, Berkeley County Council.

We value each individual faction of the STOP VAWA TEAM's commitment to combat violence against women and identify the needs of domestic violence and sexual assault survivors and their respective family members within our community. Additionally, each entity's individual commitment to further the education, awareness and provision of advocacy within our community in order to change the fundamental beliefs and practices that have allowed abuse to continue is paramount to steady the foundation of this principal community concern. Further, the TEAM will provide a building block for sister agencies to identify gaps in service and thus build a tighter knit foundation from which to further our united efforts for the greater whole. CASA-EP firmly stands behind this core concept with steadfast knowledge of the vitality it will provide for all of our community's children and their families.

CASA-EP has had an opportunity of individual interaction with the majority of the STOP TEAM organizations for the past 12 years, and has found their core missions and programs to be effective and essential in our joint efforts to provide victims of child abuse and neglect with resolutions in their best interest. We look forward to the added



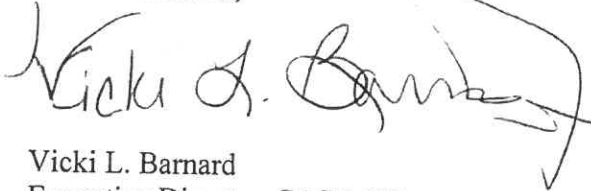


benefits and resulting positive outcomes for our community members that this team can provide through this funding.

The STOP TEAM will be a beneficial contributor to a less stressful environment for CASA-EP kids, and we have no doubt that continued partnership will only result in a positive impact on the lives of these children.

On behalf of CASA-EP, it is without hesitation that this organization does, in fact, fully support all members of the STOP TEAM, in their endeavor to develop, strengthen, and enhance our community through this funding.

For the Children,

A handwritten signature in black ink, appearing to read "Vicki L. Barnard". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Vicki L. Barnard  
Executive Director, CASA-EP





January 21, 2017

Ms. Sarah Brown  
WV Division of Criminal Justice Services  
1204 Kanawha Boulevard, East  
Charleston, WV 25301

Dear Sarah,

I am writing in support of Branches Domestic Violence Shelter and the Cabell County Stop Team and its application for STOP funds for 2017-18.

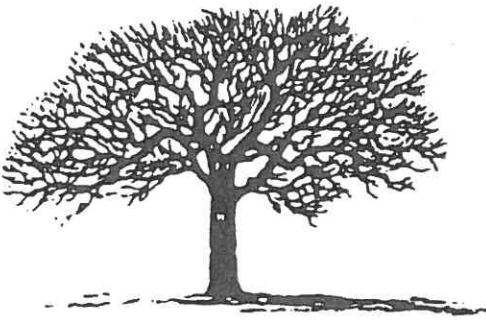
CONTACT relies on members the Cabell County STOP Team to network with each other, and therefore sexual assault and domestic violence victims can receive the full benefit of available services in a victim-centered approach. We rely on funding from this grant to support a part-time victim advocate to provide direct services to victims of sexual assault and stalking in Cabell County. These services include medical advocacy, 24 hour hot-line support, and accompaniment for law enforcement and court proceedings. CONTACT serves all adult and adolescent victims of sexual assault as well as providing support services for the families of child victims of sexual abuse. CONTACT does not discriminate on the basis of race, color, national origin, religion, sex, disability or age in the delivery of services.

CONTACT could not provide the local services it does for sexual assault and stalking victims without the support of STOP Funds.

Sincerely,

  
Sharon Pressman  
Executive Director





*Branches*  
**Domestic Violence Shelter, Inc.**

P.O. Box 403  
Huntington, West Virginia 25708  
304-529-2382 • Fax (304) 529-2398  
1-888-538-9838

February 1, 2017

Sarah J. Brown  
Senior Justice Program Specialist  
West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, WV 25301

Dear Sarah Brown:

I am writing this letter in support of the Cabell County STOP Team's project for proposed funding for a continuation of the current VAWA project, which is aimed at addressing domestic and sexual violence. The Cabell County STOP Team has been effective in their efforts to coordinate community responses to domestic violence, sexual assault, and stalking. These responses help hundreds of victims find safety and receive services, while holding perpetrators accountable for their actions.

These life-saving services must be available when, and where, victims of abuse turn for assistance in Cabell County and funding through the VAWA grant is vital to maintain these efforts. The true collaboration between STOP Team members is imperative to stop violence against victims of domestic violence. Each member of the STOP Team depends on the others, and none could ever be as successful working separately.

In conclusion, I fully support the efforts of the Cabell County STOP Team as they seek funding to support this program designed to assist the victims of Cabell County, West Virginia.

Sincerely,

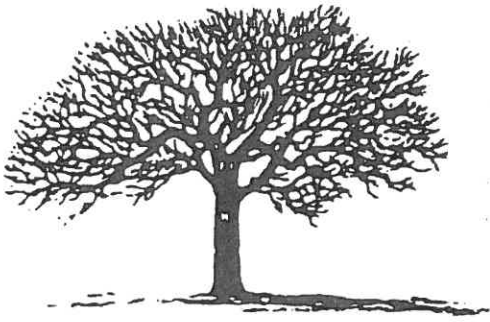
Amanda Weiss-McComas  
Executive Director  
Branches Domestic Violence Shelter

**Outreach Services Available**  
Lincoln County (304) 824-2600  
Mason County (304) 675-4968



**Office Hours: 8 a.m. to 4 p.m. M-F**  
Putnam County (304) 586-3865  
Wayne County (304) 272-9035





*Branches*  
**Domestic Violence Shelter, Inc.**

P.O. Box 403  
Huntington, West Virginia 25708  
304-529-2382 • Fax (304) 529-2398  
1-888-538-9838

January 26, 2017

Corporal A.J. Craig  
Putnam County Sheriff's Department  
236 Courthouse Drive Suite 8  
Winfield, WV 25213

Dear Corporal A.J. Craig:

Branches Domestic Violence Shelter is pleased to support Putnam County Sheriff's Department in its application to the STOP Violence Against Women Act for the continued service of domestic violence victims in Putnam County, WV.

We believe the Putnam County Sheriff's Department plays an important role in the community by serving victims of domestic violence. With the prevalence of domestic violence in the community, it is critical that Putnam County have the services provided by a Domestic Violence Investigator. This grant also helps assist victims in rural areas of the county as well as elderly and LGBT victims. A lack of funding for the Investigator would effect services currently being provided.

We whole-heartedly support the Putnam County Sheriff's Department and its work in Putnam County, West Virginia.

Sincerely,

Amanda Weiss-McComas  
Executive Director  
Branches Domestic Violence Shelter

**Outreach Services Available**  
Lincoln County (304) 824-2600  
Mason County (304) 675-4968



**Office Hours: 8 a.m. to 4 p.m. M-F**  
Putnam County (304) 586-3865  
Wayne County (304) 272-9035



**eliminating racism**  
**empowering women**  
ywca  
wheeling

**Family Violence Prevention Program**

1100 Chapline Street T: 304.232.2748  
Wheeling, WV 26003-2919 F: 304.232.0513

STOP VAWA Grant Committee  
1124 Smith Street, Ste. 3100  
Charleston, WV

March 9, 2017

Dear Grant Committee:

The STOP VAWA Grant continues to be a vital part of the YWCA Family Violence Prevention Program's effort and collaboration offering coordinated community response team. STOP funds enable us to keep a much respected team effort with law enforcement, prosecution, the sexual assault help center and cultural diversity and community outreach; a program of the YWCA. The funds that support this partnership allow us to continue streamlining our response to domestic violence, dating violence, sexual assault and stalking victims. The formation of the Marshall County Team has opened the door to bring other community and systems based programs to the table. This aspect of the STOP Team is vital to a well-rounded coordinated response resulting from the four covered crimes.

As you are aware, the population of Marshall County WV is 97.5% white. Receiving these funds not only enable us to assist our rural residents, they give us the ability to improve outreach/services to our minority, elderly and gay & lesbian population. Without these funds this specialized outreach would probably not happen to the extent this partnership allows.

As you can see STOP VAWA funds are vital to keeping Marshall County's Domestic Violence Partnership intact. If you have any questions please contact me at (304) 232-2748.

Sincerely,

*Patricia Flanigan*

Patricia Flanigan, Director

YWCA Family Violence Prevention Program

Ohio County Office T: 304.232.2748 F: 304.232.0513  
Marshall County Office T: 304.845.9150 F: 304.845.4957  
Wetzel County Offices T: 304.455.6400 T: 304.455.3911 F: 304.455.6866

THE MARY KAY  
FOUNDATION.

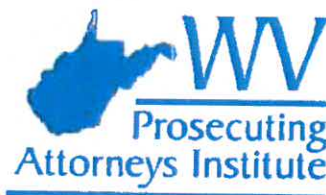




JIM JUSTICE  
GOVERNOR

JOHN MYERS  
ACTING CABINET SECRETARY

PHILIP W. MORRISON, II  
EXECUTIVE DIRECTOR



1124 Smith Street  
Suite 4500  
Charleston, West Virginia 25301  
Telephone: (304) 558-3348  
Facsimile: (304) 558-6008  
[www.pai.wv.gov](http://www.pai.wv.gov)

JOHN L. BORD  
CHAIRPERSON

DEBRA MCLAUGHLIN  
VICE CHAIRPERSON

EXECUTIVE COUNCIL

JIM DAVIS  
TIMOTHY HAUGHT  
KRISTEN KELLER  
THOMAS PLYMALE  
JUSTIN ST. CLAIR  
AGNES QUEEN  
JACK DAVID WOODRUM

March 28, 2017

Sarah Brown  
STOP Violence Against Women Administrator  
WV Division of Criminal Justice Services  
1124 Smith Street, Suite 3100  
Charleston, WV 25301

Dear Ms. Brown:

Please accept this letter as the Institute's support of your efforts regarding pursuing VAWA STOP grant funding. Annually the institute applies for a small portion of this funding for the purpose of educating Prosecutors and their staffs on the topic and specifically in the areas of domestic violence, sexual assault and stalking by promoting common strategies and techniques and supporting innovative approaches for prosecutors and prosecution-based victim advocates. Victims of domestic violence face unique problems which may not be amendable to purely legal regulation or solution. Rural area victims, found statewide in West Virginia, face different challenges from those experienced by their more urban counterparts because of geographic isolation and limited resources. Greater coordination of efforts in training and education are of paramount importance in finding strategies for the rural victim.

Local prosecutors and prosecutor-based victim advocates require continued training opportunities to provide the most current and appropriate solutions regarding violence against women issues. Through such specialized training, Prosecutors and prosecution-based victim advocates are given the opportunity to participate in idea sharing and have the support and effort of the Institute's resources to enhance their knowledge and expertise. They continue to request targeted training from the Institute to raise their level of professionalism in prosecution and increase their knowledge of support services for victims.

Prosecutors' Offices throughout the State simply do not have the resources to provide opportunities for training, collaboration regarding ideas, resources, services and policies. The rural demographics of West Virginia and the caseloads also serve to hinder local prosecutors in taking on this burden. The Executive Council of the Institute and the Institute staff, in conjunction with Prosecutors and prosecution-based victim advocates' offices, will continue to combat violence against women.

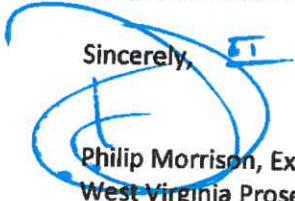
*AN EQUAL OPPORTUNITY EMPLOYER*



In addition, the Institute also remains committed to its role in the State's STOP implementation plan. We believe there has been long term improvement in services provided directly to victims from local prosecutors and victim advocates based upon this training. Continuation of this course of action is vitally important to prosecution-based victim advocates and prosecutors' offices and we expect to continue to improve system wide if, and because of, the funding in question.

The continuation of specialized training to prosecutors, assistant prosecutors, and prosecution based victim advocates is extremely important and necessary to the safety and well-being of victims of abuse as they navigate through the criminal justice system. Funding is necessary to continue this important training in an area and VAWA funding makes most of what we do in this regard possible. We support the Office of Violence Against Women in this endeavor and appreciate all that they do for the victims of domestic violence in West Virginia.

Sincerely,



Philip Morrison, Executive Director  
West Virginia Prosecuting Attorneys Institute



**OFFICE OF PROSECUTING ATTORNEY**

**OHIO COUNTY COURTHOUSE  
1500 CHAPLINE STREET  
WHEELING, WEST VIRGINIA 26003-3590**

**Scott R. Smith  
Prosecuting Attorney**

Telephone (304) 234-3631  
Facsimile (304) 234-3870

January 25, 2017

West Virginia Division of Justice & Community Services

**RE: VAWA STOP Applicaiton**

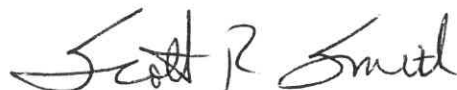
To the Application Committee:

The Ohio County STOP team, formed in 1998, and has been an invaluable asset for Ohio County West Virginia. Ohio County's current demographics, as reported by the U.S. Census Bureau consist of 43,328 residents, 52.1% of whom are female. 3.7% of Ohio County's population is African American, 2.0% are mixed race, 1.1% Hispanic or Latino, 0.8% Asian, and 92.4% white. There are 3771 veterans living in Ohio County, West Virginia. 11% of persons under age 65 in Ohio County are disabled. The median household income for Ohio County West Virginia is \$40,342. The poverty rate in Ohio County is 19.4%.

Domestic violence, sexual assault, dating violence, and stalking cut across all demographic and economic lines. The services rendered by the Ohio County Prosecutor's Office and its grant funded Assistant are provided without regard to the victim's age, sex, sexual orientation, religious affiliation, economic status, mental and or intellectual acumen, race, political affiliation, or other discernable affiliation.

The funding provided over the years through VAWA have allowed the opportunity for the Ohio County Prosecutor's Office to hire, train and retain highly specialized professionals, skilled and knowledgeable in providing services to victims of covered criminal activity. It is my sincere belief that over the years the funding provided through VAWA to this office has caused Ohio County West Virginia to be a safer place to live for all of its residents.

Sincerely yours,

A handwritten signature in black ink that reads "Scott R. Smith". The signature is fluid and cursive, with the first and last names being more prominent.

Scott R. Smith  
Ohio County Prosecuting Attorney



OFFICE OF  
MARSHALL COUNTY PROSECUTING ATTORNEY

*RHONDA L. WADE*

ASST. PROSECUTING ATTORNEYS

ERIC M. GORDON

JOSEPH R. CANESTRARO – CHIEF ASSISTANT

ADAM E. BARNEY

HERMAN D. LANTZ

ANDREA C. POLING



SPECIAL INVESTIGATOR

THOMAS R. WESTFALL

VICTIM SERVICES

TIFANY GIOVENGO

MARSHALL COUNTY COURTHOUSE  
MOUNDSVILLE, WEST VIRGINIA 26041  
(304) 845-3580  
FAX (304) 843-0320

March 9, 2017

STOP VAWA Grant Committee  
1124 Smith Street, Ste. 3100  
Charleston, WV

Dear Grant Committee:

The STOP VAWA Grant continues to be a vital part of the Prosecutor's Office domestic violence program. These funds enable us to keep a part-time assistant prosecutor staffed to prosecute domestic violence cases. Without these funds this responsibility would be widespread throughout each assistant prosecutor and not the focus of one. Having one assistant prosecutor assigned to domestic violence cases lets us continue our partnership with the Sheriff's Office and the YWCA Victim Advocate. The funds that support this partnership allow us to continue streamlining the legal process for victims of domestic violence.

As you are aware, the population of Marshall County WV is 97.5% white. Receiving these funds not only enable us to assist our rural residents, they give us the ability to improve outreach/services to our minority, elderly and gay & lesbian population. Without these funds this specialized outreach would probably not happen to the extent this partnership allows.

As you can see STOP VAWA funds are vital to keeping Marshall County's Domestic Violence Partnership intact. If you have any questions, please contact me at (304) 845-3580.

Sincerely,

Rhonda L. Wade  
Prosecuting Attorney  
Marshall County, West Virginia



**UPSHUR COUNTY  
OFFICE OF THE PROSECUTING ATTORNEY  
J.D. JENNINGS ANNEX, ROOM 202  
38 W. MAIN ST.  
BUCKHANNON, WV 26201**

Phone: 304-472-9699

Fax: 304-472-1452

**DAVID E. GODWIN  
Prosecuting Attorney**

**KELLEY J. CUNNINGHAM**  
Assistant Prosecuting Attorney  
**STEPHANIE J. MILLIRON**  
Assistant Prosecuting Attorney  
**LAURA QUEEN**  
Victim Services Coordinator

**PATTY REPLOGLE**  
Administrative Assistant  
**ROBERTA SAMPLES**  
Administrative Assistant  
**LINDA TOLER**  
Administrative Assistant

January 25, 2017

Sarah Brown  
Senior Justice Program Specialist  
WV Division of Justice and Community Services  
1124 Smith Street Suite 3100  
Charleston, West Virginia 25301-1323

Dear Ms. Brown:

As Prosecuting Attorney in and for Upshur County, West Virginia, I write in support of the Upshur County Commissions STOP Violence Against Women Grant Program Application for Project Period July 1, 2017 – June 30, 2018.

As a member of the STOP Team, I assisted with the development of the application. I believe that the application fully details Upshur County's need for the grant funds, intended use of the grant funds, and expected results from the use of the grant funds.

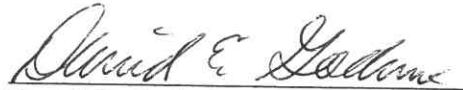
Upshur County victims of domestic violence, sexual assault, stalking, and dating violence crimes are the population that will be served by this grant. The demographic characteristics of this population can be found in the 2015 People Quick Facts for Upshur County, West Virginia provided by the United States Census Bureau. The demographic characteristics are detailed as percentages of the total population as follows:

Persons under 5	5.6 %
Persons under 18	20.6 %
Persons above 65	18.2 %
Females	50.4 %
White alone	97.4%
Black or African American alone	0.9%
Language Other than English Spoken at Home	0.9%



My agency strongly supports the continuation of STOP VAWA funds to assist the citizens of Upshur County.

Sincerely,

A handwritten signature in cursive script, reading "David E. Godwin", written over a horizontal line.

David E. Godwin,  
Prosecuting Attorney

SJM/pcr





Office of the Prosecuting Attorney - Preston County, WV  
Mel Snyder - Prosecuting Attorney

*PROTECTING THE PUBLIC • PROMOTING JUSTICE*

February 2, 2016

Ms. Nnenna Minimah, Director  
RDVIC

RE: Support Letter for 2017-2018 VAWA – STOP Grant

Dear Ms. Minimah:

I wish to express my strong desire for the Violence Against Women Act (VAWA) – STOP Grant to continue so that my Office can continue to receive funds to support the prosecution of domestic violence crimes. I consider these types of cases to be one of my strongest priorities. Domestic violence represents the greatest number of violent crimes and runs the gamut from simple domestic batteries to murders.

This office has utilized VAWA – STOP funds along with help from Rape and Domestic Violence Center (RDVIC) to partially fund the salaries of Jay Shay and Savannah Wilkins, two of my Assistant Prosecuting Attorney's who prosecute domestic violence crimes in Preston County, for many years.

The prosecution of domestic violence crimes is labor-intensive. The VAWA – STOP grant helps this office to devote the necessary time and effort to properly address the inherent problems connected with domestic crimes and to achieve our objectives to provide effective prosecution for such crimes. The VAWA – STOP grant also provides funds to provide training for the prosecution of domestic violence crimes. This training component allows me to send my Assistant Prosecutors who handle domestic violence crimes to well-planned, informative, and technical training to further promote the objectives of the grant.

The Preston County Commission and the various law enforcement agencies in Preston County, West Virginia have likewise, supported and endorsed the continued funding of this grant.

If you need anything further from my Office in order to continue the funding of this grant, please let me know. Please feel free to call me if you have any questions.

Sincerely,

*Mel Snyder*  
Mel Snyder





**Kanawha County**  
**OFFICE OF THE PROSECUTING ATTORNEY**

301 Virginia Street East  
Charleston, WV 25301  
(304) 357-0300  
FAX (304) 357-0342

CHARLES T. MILLER  
Prosecuting Attorney

Sarah J. Brown  
Senior Justice Program Specialist  
West Virginia Division of Justice and Community Services  
1124 Smith Street Suite 3100  
Charleston, WV 25301-53337

January 27, 2017

Dear Sara,

I am writing this letter to express my continued support for the Kanawha County STOP team and its efforts at combating Domestic Violence, Dating Violence, Stalking and Sexual Assault crimes. Our office has been a member of the STOP team since 1997. As we have evolved over the years, the need for victim services has increased. Here in Kanawha County, part of responding to victims' needs has been the development of Domestic Violence Court, which is the first of its kind in West Virginia. This Court has assisted in reducing recidivism and has allowed for perpetrator accountability.

Victim advocacy plays an integral role in the Court's process. I am pleased to have the opportunity to provide victim services to all victims in Domestic Violence Court. In 2016, the Domestic Violence Court held 2,588 domestic violence hearings. It has been our office's policy to have a victim advocate present every day in Domestic Violence Court. The victim advocates support the Assistant Prosecuting Attorneys by contacting victims before hearings, meeting with victims during court hearings, and providing referrals for services depending on the victims' needs. Without VAWA and VOCA funding, this would not be possible and such advocacy is integral in reducing victimization among vulnerable populations.

Grant funding also allows our advocates to devote resources to victims of sexual assault and sexual abuse and assist them through the criminal justice process. For these victims particularly, this process can be particularly intimidating and traumatic. Our office goal is to provide victim assistance through an advocate early in the process so that the victims are informed and empowered as much as possible.



The Kanawha County Prosecuting Attorney maintains a strong partnership with law enforcement and the community organizations that also serve on the Kanawha County STOP team. I recognize the importance of a coordinated community response in order to effectively address these crimes. Our office looks forward to continuing to assist the STOP team as we combat crimes of domestic and sexual violence.

Sincerely,



Charles T. Miller



**Joshua W. Downey  
Roane County Prosecuting Attorney  
Roane County Courthouse  
200 Main Street  
Spencer, West Virginia 25276**

**Telephone (304) 927-2091**

**Facsimile (304) 927-4165**

January 18, 2017

Emily Larkins, Director  
Family Crisis Intervention Center  
PO Box 695  
Parkersburg, WV 26102

Re: Letter of Support for the Roane County Outreach Center's "EVE" Program  
Roane County, West Virginia

Dear Ms. Larkins:

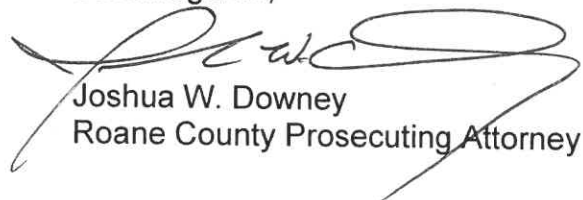
Prosecution of domestic violence cases is an on-going struggle. However, services offered by the Eve Program (Roane County Eliminating Violent Environments) is a tremendous asset. Victims who have sought the assistance of the EVE Program members are able to provide better information to police officers, the Prosecuting Attorney and other individuals associated with the Court System. More importantly, they receive help in breaking the cycle of domestic violence.

The individuals who have utilized the services of the EVE workers praise the program. Also, law enforcement officers from all levels in this jurisdiction, state, county, and municipal, have commented favorably about the assistance provided to the victims of domestic violence by EVE program members.

This office reiterates its "No-Drop" policy regarding domestic violence cases in Roane County and solicits the support of any individual or program that may assist in eliminating violent environments. Even though intimidation, fear of reprisal, or otherwise, do not wish to proceed with prosecution of the offender. However, the judicial system cannot function entirely on its own. These types of situations required the cooperation of law enforcement and the victim.

Further, I ask that you accept this letter as evidence that the Roane County Prosecuting Attorney's Office unequivocally supports the Roane County "EVE" program, and I hereby pledge myself, my staff and my office, toward the goal of reducing domestic violence.

Best Regards,



Joshua W. Downey  
Roane County Prosecuting Attorney

cc: Anita Freeland



4 Randolph Avenue  
2<sup>nd</sup> Floor Courthouse Annex  
Elkins, WV 26241



Telephone: (304) 636-2053  
Fax: (304) 636-4198

**OFFICE OF THE PROSECUTING ATTORNEY**  
RANDOLPH COUNTY, WEST VIRGINIA  
**Michael W. Parker, Prosecuting Attorney**

**Assistant Prosecutors:**  
Christina W. Harper, Esquire  
Lori A. Haynes, Esquire  
Richard W. Shryock, Jr., Esquire

**Victim Service Coordinator:**  
Jayne Rawl

**File Clerk:**  
Melanie C. Ratliff

**Legal Assistants:**  
Amber Channell, Circuit Court Coordinator  
Peggy S. Burgess, Juvenile Coordinator  
Jessica Brookings, Magistrate Coordinator

**Investigator:**  
Susan E. Gainer

January 11, 2017

Sarah J. Brown  
Senior Justice Program Specialist  
West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, WV 25301

Dear Mrs. Brown,

Please place this letter with your application for funding under the STOP VAWA Grant Program for the upcoming year. It is and has been for a number of years the position of the Randolph County Prosecuting Attorney's Office to be a supporter of Women's Aid in Crisis and the Randolph County STOP/SART Team and the many works they provide to the County through the funding they are able to do through the STOP VAWA Grant, as well as other programs.

This funding will provide a tremendous benefit to the community of Randolph County. I believe this program will be beneficial in raising the awareness of domestic violence, as well as, provide much needed support and assistance to victims of violence against women, including domestic and dating violence, stalking, and sexual assault. There is simply no substitute in this area of the State for the work the STOP/SART Team has accomplished and will continue to enhance efforts for law enforcement, prevention, awareness and victim's assistance.

Therefore, the Randolph County Prosecuting Attorney's Office strongly supports this grant request and if there is anything further this office can do to assist and aid in continuing to obtain this vital and important funding, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Parker". The signature is fluid and cursive, with the first name "Michael" and last name "Parker" clearly distinguishable.

Michael W. Parker



OFFICE OF THE  
**PROSECUTING ATTORNEY**  
**CALHOUN COUNTY, WEST VIRGINIA**  
*Shannon S. Johnson, Prosecutor*

Calhoun County Courthouse  
P.O. Box 337,  
Grantsville, WV 26147

Telephone: 304-354-6170  
Fax: 304-354-6703  
Secretary, April Wilson

January 4, 2017

Family Crisis Intervention Center  
ATTN: Emily Larkin  
P.O. Box 695  
Parkersburg, WV 26102

RE: Letter of Support for Domestic Abuse Response Team and Outreach Center in Calhoun County, West Virginia

Dear Ms. Larkin


This letter is to confirm support for the Domestic Abuse Response Team (DART) and Outreach Center in Calhoun County, West Virginia.

As the Prosecutor of Calhoun County, I can honestly state that the victims of Domestic Violence are desperate for resources within the county. Often times the Law Enforcement responses are delayed due to hesitation on the victims part to report incidents, as are reports from witnesses. The DART and Outreach Programs allow for an increased reporting of these incidents so that they can be dealt with in a timely manner. In addition, both of these resources will serve to educate the population and hopefully reduce the incidents to a manageable number.

We are aggressively prosecuting every case presented, and have been successful in obtaining convictions. I feel that the community is responding to Domestic Violence in a manner which greatly assists us in the Judicial system. The DART and Outreach Programs will greatly enhance the ability of the community to respond to these incidents either with or without Law Enforcement and/or Judicial involvement.

In short, I support the effort, and will continue to support your efforts in any manner that I can.

Sincerely yours,



Shannon S. Johnson  
Prosecuting Attorney of  
Calhoun County, WV





## PROSECUTING ATTORNEY OF MARION COUNTY

JEFFREY L. FREEMAN

213 JACKSON STREET

FAIRMONT, WEST VIRGINIA 26554

TELEPHONE (304) 367-5380 • FAX (304) 368-0930

CHIEF ASSISTANT  
JENIFER L. PIGOTT

ASSISTANTS  
BRANDON S. FLOWER  
DENNIS B. KITTLE  
JOSEPH T. HODGES, III  
KATICA RIBEL  
CHARLES A. SHIELDS  
JONATHAN A. WRIGHT

VICTIM ADVOCATE  
KIM HAWKINS  
(304) 367-5383

INVESTIGATOR  
DONALD HARRIS  
(304) 367-5438

Dear STOP Team Committee,

The Marion County Prosecutor's Office is pleased to give support to the West Virginia STOP Violence Against Women FY 2016 Grant Program in Marion County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Marion County to receive an improved, coordinated response to their situation using a Team approach. This grant will provide Marion County with an Assistant Prosecutor who will be dedicated to working cases involving domestic violence, dating violence, stalking, and sexual assault. With this approach, our expectation is to see an increase in the prosecution rate for these four specific crimes. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Marion County.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey L. Freeman".

Jeffrey L. Freeman  
Prosecuting Attorney of Marion County





COUNTY OF HARRISON  
OFFICE OF THE PROSECUTING ATTORNEY  
301 WEST MAIN STREET  
CLARKSBURG, WEST VIRGINIA 26301  
PHONE: (304) 624-8660  
FAX: (304) 624-8708



HARRISON COUNTY COURT HOUSE

*Rachel Romano*  
PROSECUTING ATTORNEY

February 1, 2017

Stop Team Committee

Dear STOP Team Committee,

I am very pleased to once again have the honor to support the initiative for a West Virginia STOP Violence Against Women FY 2016 Grant Program in Harrison County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Harrison County to receive an improved, coordinated response to their situation using a Team approach. This grant will provide Harrison County with an Assistant Prosecutor who will be dedicated to working cases involving domestic violence, dating violence, stalking, and sexual assault. With this approach, our expectation is to see an increase in the prosecution rate for these four specific crimes. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Harrison County.

Sincerely,

Rachel Romano  
Prosecuting Attorney



**OFFICE OF PROSECUTING ATTORNEY  
LOGAN COUNTY, WEST VIRGINIA**



***Jerry R. White***  
***Chief Assistant Prosecutor***

***R. Todd Goudy***

***Shana L. Thompson O'Briant***  
***Assistant Prosecutor***

***Assistant Prosecutor***

***David A. Wandling***  
***Assistant Prosecutor***

***Donald C. Wandling***  
***Assistant Prosecutor***

**JOHN W. BENNETT**  
**PROSECUTING ATTORNEY**  
**1 WASHINGTON AVE., SUITE 200**  
**LOGAN, WEST VIRGINIA 25601**  
**PHONE: (304)792-8670**  
**FAX: (304)792-8677**

February 8, 2017

Sarah J. Brown  
Division of Justice & Community Services  
1204 Kanawha Blvd., E.  
Charleston, WV 25301

RE: STOP VAWA Grant Proposal  
(Mingo County-Tug Valley Recovery Shelter)

Dear Sarah:

Please be advised that I intensely support the Tug Valley Recovery Shelter STOP VAWA Grant Proposal. Budget restraints are a continued burden to law enforcement and crime victim services. Fortunately, the Tug Valley Recovery Shelter STOP VAWA Grant provides vital funding for the following:

- Assistant Prosecuting Attorney that focuses on enforcing domestic violence laws and prosecuting offenders
- Comprehensive services by the Logan County Sheriff's Department
- Court Advocate that assists domestic violence victims in filing Protective Orders.

The Tug Valley Recovery Shelter STOP VAWA Grant would serve the population of Logan County regardless of age, marital status, disability, race, ethnicity, linguistic background and LGB communities.

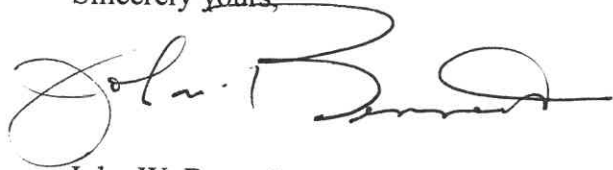


Brown, Sarah Letter  
February 8, 2017  
Page Two (2)

Your approval of the Tug Valley Recovery Shelter STOP VAWA Grant will assure that current services will continue to persistently make justice more achievable for victims of domestic violence.

Thank you for your invaluable consideration of Tug Valley Recovery Shelter STOP VAWA Grant Proposal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John W. Bennett", with a large, stylized initial "J" and a long horizontal flourish extending to the right.

John W. Bennett  
Prosecuting Attorney  
Logan County, WV

JWB:ksc





JONATHAN "DUKE" JEWELL  
PROSECUTING ATTORNEY

78 EAST 2ND AVENUE, SUITE 201  
WILLIAMSON, WEST VIRGINIA 25661  
TELEPHONE (304) 235-0350  
FACSIMILE (304) 235-0567  
mingoprosecutor@mingocountywv.com

February 8, 2017

Sarah J. Brown  
Division of Justice & Community Services  
Department of Military Affairs & Public Safety  
1204 Kanawha Blvd., East  
Charleston, West Virginia 25301

Re: STOP VAWA Grant Proposal  
{Mingo County – Tug Valley Recovery Shelter}

Dear Ms. Brown:

Please be advised that I strongly support the Tug Valley Recovery Shelter {Mingo County} STOP VAWA Grant Proposal. Budget restraints are a perpetual hindrance to effective law enforcement and crime victim services. Fortunately, the Tug Valley Recovery Shelter {Mingo County} STOP VAWA Grant provides vital funding for the following:

- Assistant Prosecuting Attorney who specializes in enforcing domestic violence laws and prosecuting offenders
- Extended services by the Mingo County Sheriff's Department
- Court Advocate who assists domestic violence victims in filing protective orders.

The Tug Valley Recovery Shelter {Mingo County} STOP VAWA Grant would serve the population of Mingo County regardless of age, marital status, disability, race, ethnicity, or language background.

Your approval of the Tug Valley Recovery Shelter {Mingo County} STOP VAWA Grant will assure that current services will continue unabated and make justice more attainable for domestic violence victims. This is extremely important to me both as the county's Prosecuting Attorney and as a board member of Tug Valley Recovery Shelter.

Thank you for your favorable consideration of Tug Valley Recovery Shelter {Mingo County} STOP VAWA Grant Proposal.

Sincerely,

Jonathan "Duke" Jewell  
Prosecuting Attorney

JDJ/ar





OFFICE OF THE  
**MONROE COUNTY PROSECUTING ATTORNEY**

Post Office Box 740  
Union, West Virginia 24983

Justin R. St. Clair  
Prosecuting Attorney

Telephone: 304.772.5098  
Facsimile: 304.772.4056

Carrie F. DeHaven  
Assistant Prosecuting Attorney

---

January 25, 2017

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Monroe County STOP Grant

Dear Ms. Boothe,

The Monroe County Prosecutor's Office is pleased to continue a relationship with the Monroe County STOP team under the STOP VAWA Grant. This grant is very valuable for the continuing effort the STOP Team is making towards community awareness of domestic violence, sexual assault, dating violence and stalking in Monroe County, West Virginia.

The Monroe County Prosecutor's Office will commit to the STOP Team by involvement at the STOP meetings and Community Response meetings. It is clearly a priority for us, and our community will be well served.

Sincerely,

Carrie F. DeHaven  
Monroe County Assistant Prosecuting Attorney



GREENBRIER COUNTY PROSECUTING ATTORNEY  
STATE OF WEST VIRGINIA

PATRICK I. VIA  
PROSECUTING ATTORNEY

RYAN R. BLAKE  
ASSISTANT PROSECUTING ATTORNEY



912 COURT STREET NORTH - P.O. BOX 911  
LEWISBURG, WEST VIRGINIA 24901  
TELEPHONE (304) 647-6616  
FAX (304) 647-6671

H. ROD MOHLER  
ASSISTANT PROSECUTING ATTORNEY

BRITT B. LUDWIG  
ASSISTANT PROSECUTING ATTORNEY

BETHANY BURDETTE  
ASSISTANT PROSECUTING ATTORNEY

January 19, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The Greenbrier County Prosecuting Attorney's Office is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The Greenbrier County Prosecuting Attorney's Office will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that the Greenbrier County Prosecuting Attorney's Office and the Family Refuge Center have embraced this project.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Rod Mohler".

H. Rod Mohler  
Assistant Greenbrier County Prosecutor



GREENBRIER COUNTY PROSECUTING ATTORNEY  
STATE OF WEST VIRGINIA

PATRICK I. VIA  
PROSECUTING ATTORNEY

RYAN R. BLAKE  
ASSISTANT PROSECUTING ATTORNEY



912 COURT STREET NORTH - P.O. BOX 911  
LEWISBURG, WEST VIRGINIA 24901  
TELEPHONE (304) 647-6616  
FAX (304) 647-6671

H. ROD MOHLER  
ASSISTANT PROSECUTING ATTORNEY

BRITT B. LUDWIG  
ASSISTANT PROSECUTING ATTORNEY

BETHANY BURDETTE  
ASSISTANT PROSECUTING ATTORNEY

January 19, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The Greenbrier County Prosecuting Attorney's Office is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The Greenbrier County Prosecuting Attorney's Office will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that the Greenbrier County Prosecuting Attorney's Office and the Family Refuge Center have embraced this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick I. Via", written over a horizontal line.

Patrick I. Via  
Greenbrier County Prosecutor



COUNTY OF CABELL  
STATE OF WEST VIRGINIA  
**PROSECUTING ATTORNEY**  
SEAN "CORKY" HAMMERS

CABELL COUNTY COURTHOUSE  
750 5TH AVENUE, SUITE 350  
HUNTINGTON, WEST VIRGINIA 25701

TELEPHONE (304) 526-8653  
FAX (304) 526-8679

January 25, 2017

WV Violence Against Women  
Attn: Committee Members  
West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, WV 25301

RE: VAWA Grant Support Letter

Dear Committee Members:

Please consider continued VAWA funding for the Cabell County Prosecutor's Office. With the ever-changing law and increase in criminal cases in Cabell County, the funding from VAWA makes it possible to have an Assistant Prosecutor position who can devote time to such important cases.

The results of such funding would increase the participation of services for victims. The demographic range in Cabell County is difficult to narrow down due to the vast size of the county; however, Cabell County services all ethnicities equally, with women being the higher majority in our domestic cases.

Thank you for your consideration in the continued funding for the Cabell County Prosecutor's Office.

Sincerely,

A handwritten signature in black ink, appearing to read 'SHAMMERS', with a long horizontal line extending to the right.

Sean K. Hammers  
Prosecuting Attorney



## OFFICE OF THE PROSECUTING ATTORNEY

Perri DeChristopher, Prosecuting Attorney  
Monongalia County Justice Center  
75 High Street, Ste. 11  
Morgantown WV 26505

Phone: (304) 291-7250

Fax: (304) 291-7285

January 31, 2017

West Virginians Against Domestic Violence Committee

RE: VAWA Grant


Dear Committee Members:

As Prosecuting Attorney of Monongalia County I am writing in support of the renewed grant application seeking continued funding for our team efforts against domestic violence and related crimes. Our team has been in existence for going on ten years. Our members, including our domestic violence shelter (RDVIC), local police departments, prosecuting attorney, and victim advocate, all view our efforts as having achieved greater success in preventing and/or prosecuting domestic violence cases through our multi-disciplinary approach. These efforts would be much more difficult, more expensive, and/or perhaps impossible without the financial support as well as guidance and mentoring the grant resources offer.

With renewed grant funding we expect to be able to continue to provide professional responses to family and interpersonal violence from the time of the initial police response, to ensuring the safety of victims, to effective victim advocacy, to concluding with successful prosecutions without discrimination.

I want to thank you for your support of our team in the past, and your consideration of continued funding for this important work.

Sincerely,



Perri DeChristopher  
Prosecuting Attorney

PJD/dss





**MARK A. SORSAIA**  
PROSECUTING ATTORNEY

PUTNAM COUNTY  
OFFICE OF THE PROSECUTING ATTORNEY  
Putnam County Judicial Building  
12093 Winfield Road  
Winfield, WV 25213-7907

Phone: (304) 586-0205  
Fax: (304) 586-0269

1/25/2017

Division of Justice and Community Services  
1124 Smith Street, Suite 3100  
Charleston, WV 25301

To Whom It May Concern:

This letter is to inform you of my office's support for the Violence Against Women Act funding for the Putnam County Sheriff's Department and Corporal Anthony Craigo. Our office is committed to participating in the development of the state's implementation plan. The state plan will address the needs of victims of domestic violence, sexual assault, stalking, and dating violence. The Putnam County STOP Team continues to work in a collaborative effort toward ensuring the safety of victims and their families. VAWA funding is vital in these efforts.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Mr. Sorsaia", with a stylized flourish at the end.

Mark A. Sorsaia  
Prosecuting Attorney  
Putnam County

MAS/nb



# **Mingo County Sheriff's Department**

**James M. Smith,  
Sheriff**

PO Box 1270  
Williamson, WV 25661  
(304) 235-0300  
(304) 235-0436 Fax  
Emergency 911

**February 7, 2017**

**To: Whom it may concern:**

**Fr: James M. Smith,  
Sheriff**

**Mingo County Sheriff's Department have been a STOP Team member in collaboration with Tug Valley Recovery Shelter and the Mingo County Prosecutor's Office in order to improve the Criminal Justice System" response to domestic violence, sexual assault, dating violence and stalking crimes in Mingo County. Mingo County Sheriff's Department receives STOP VAWA funds to investigate VAWA crimes, and to serve protection orders in order to hold perpetrators accountable and provide victim safety.**

**Mingo county has a population of 26, 839 if which the median age is 40.9. Males make up 49 percent of the population. The following is the racial makeup of Mingo County:**

**White: 97.1 %**

**Black or African American: 1.8%**

**American Indian: 0.1%**

**Asian: 0.2%**

**Hispanic: 0.4%**



Of the total population who are in household is 99.7%; 5.8% of the population is unemployed according to the U.S. Census American Factfinder 2010-2014 Economic Characteristics. 59 % of the population has disability.

Mingo County is rural county made up of 424 square miles and the unemployment rate is 13.4.%. These funds are needed to be able to work in coordination with other agencies in order to continue to provide services and safety to VAWA victims.

Sincerely,

A handwritten signature in black ink that reads "James M. Smith". The signature is written in a cursive style with a long, sweeping underline.

James M. Smith,  
Sheriff





# SHERIFF, OHIO COUNTY

51 Sixteenth Street, Wheeling, West Virginia 26003

Law Enforcement 304-234-3680

Records 304-234-3792

January 25, 2017

West Virginia Division of Justice and Criminal Services

RE: VAWA STOP Application

To the Application Committee:

The Ohio County STOP team, formed in 1998, and has been an invaluable asset for Ohio County, West Virginia. Ohio County's current demographics, as reported by the U.S. Census Bureau consist of 43,328 residents, 51.2% of whom are female. 3.7% of Ohio County's population is African American, 2% are mixed race, 1.1% are Hispanic or Latino, 0.8% are Asian, and 92.4% are white or Caucasian. There are 3771 veterans living in Ohio County, WV. 11% of persons under the age of 65 in Ohio County are disabled. The median household income for Ohio County WV is \$40,342. Ohio County has a poverty rate of 19.4%.

Domestic Violence, Sexual Assault, Dating Violence, and Stalking effect persons from all demographic and economic areas. The services provided by the Ohio County Sheriff's Office and its grant funded assistance are provided without regard to a person's age, gender, sexual orientation, religious affiliation, economic status, mental and or intellectual acumen, race, nationality, political affiliation or other discernable affiliation.

STOP VAWA funding allow the community to address domestic violence, sexual assault, stalking and dating violence as a collaborative effort. STOP VAWA funding have allowed the Ohio County Sheriff's Office to provide and train a specialized position to investigate crimes against women, to include but is not limited to Sexual Assault, Stalking, Harassment and Domestic Violence. The deputy assigned to the position also assists in serving warrants, Domestic Violence Protective Orders, Personal Safety Orders and subpoenas related to Domestic Violence cases. This deputy attends court hearings and assists victims, if necessary, to prevent violations of protective orders and bond conditions related to these offenses. This deputy also works with defendants to make sure they have a clear understanding of what the courts have ordered as well as conduct intakes into the BIPP program, and facilitate/monitor all BIPP meetings. It is my sincere belief that over the years the funding provided through VAWA to this office has caused Ohio County WV to be a safer place to live for all its residents.

Sincerely,

*J. H. Howard*  
Sheriff of Ohio County





# *Buckhannon Police Department*

24 S Florida St \* Buckhannon, WV 26201  
Phone 304-472-5723 \* Fax 304-473-7911



January 25, 2017

Sarah Brown  
Senior Justice Program Specialist  
WV Division of Justice and Community Services  
1124 Smith Street Suite 3100  
Charleston, West Virginia 25301-1323

Dear Ms. Brown:

As Lieutenant for the Buckhannon Police Department, I write in support of the Upshur County Commissions STOP Violence Against Women Grant Program Application for Project Period July 1, 2017 – June 30, 2018.

As a member of the STOP Team, I assisted with the development of the application. I believe that the application fully details Upshur County's need for the grant funds, intended use of the grant funds, and expected results from the use of the grant funds.

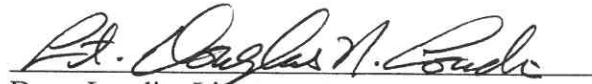
Upshur County victims of domestic violence, sexual assault, stalking, and dating violence crimes are the population that will be served by this grant. The demographic characteristics of this population can be found in the 2015 People Quick Facts for Upshur County, West Virginia provided by the United States Census Bureau. The demographic characteristics are detailed as percentages of the total population as follows:

Persons under 5	5.6 %
Persons under 18	20.6 %
Persons above 65	18.2 %
Females	50.4 %
White alone	97.4%
Black or African American alone	0.9%
Language Other than English Spoken at Home	0.9%



My agency strongly supports the continuation of STOP VAWA funds to assist the citizens of Upshur County.

Sincerely,

A handwritten signature in cursive script, reading "Lt. Douglas M. Loudin", written over a horizontal line.

Doug Loudin, Lieutenant  
Buckhannon Police Department

SJM/pcr





Office of the Chief of Police  
Chief Steve Shine

Fairmont Public Safety Building  
500 Quincy Street  
Fairmont, WV 26554  
(304) 366-9280 x422  
(304) 366-5533 FAX

Dear STOP Team Committee,

The Fairmont Police Department is pleased to give its support of the West Virginia STOP Violence Against Women FY 2017/18 Grant Program in Marion County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Marion County to receive an improved, coordinated response to their situation using a Team approach. This grant will be able to significantly enhance our officer's knowledge of domestic violence, dating violence, stalking, and sexual assault resulting in improved services to victims. This grant will specifically allow our officers to work overtime hours that will be dedicated to the crimes of domestic violence, dating violence, stalking, and sexual assault. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Marion County.

Thank You,

Chief Steve Shine





JEFFERY S. STARCHER

Sheriff & Treasurer, Calhoun County

P.O Box 340 Grantsville, WV 26147

Phone: 304-354-6333 Fax: 304-354-6609

Deputy G. J. Knight, Deputy C. E. McCroskey

Home Confinement Officer: J. Elkins

Family Crisis Intervention Center

January 4, 2017

P.O Box 695

Parkersburg, WV 26102

Re: Letter of support for the Domestic Abuse Response Team (DART) in Calhoun County West Virginia

Dear Ms. Larkins

This letter is to confirm the need and support for the DART Team, in Calhoun County.

During the last several years as Chief Deputy, I have had the privilege to support and work closely with the DART Team.

As Sheriff of Calhoun County I still strongly support DART, because of the education brought to our Community and the assistance and training provided to our Law=Enforcement.

I have been on several domestic violence calls and because of the trained personnel, victims received assistance from DART such as education, support and transportation that otherwise they may not receive.

In closing I would like to thank all the staff for their dedication, guidance and assistance to the citizens and Law-Enforcement of Calhoun County when they need it the most, and I feel that due to your continuing efforts Calhoun County is a safer place to live. I will continue to support the DART program in all their efforts.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Starcher", written over a horizontal line.

01/04/17

Jeff Starcher, Calhoun County Sheriff and Treasure



Office of the  
**SHERIFF OF RANDOLPH COUNTY**

**Law Enforcement**

32 Randolph Avenue  
Suite 201  
Elkins, WV 26241

Web: [rcsowv.org](http://rcsowv.org)  
Phone: (304) 636-2111  
Fax (304) 630-0467



**Mark Brady, Sheriff**

**Tax Office**

4 Randolph Avenue  
Suite 100  
Elkins, WV 26241

Web: [wvpropertytaxes.com](http://wvpropertytaxes.com)  
Phone: (304) 636-2100  
Fax (304) 636-2093

January 11, 2017

Sarah Brown  
Senior Justice Program Specialist  
WV Division of Justice and Community Service  
1204 Kanawha Blvd, East  
Charleston, WV 25301

Re: Randolph County STOP/VAWA Grant

Mrs. Brown,

The Randolph County Sheriff's Office strongly supports the above grant as it continues to provide the services that are much needed to the victims in Randolph County.

Please contact me if you have any questions regarding this grant.

Respectfully,

*Mark T. Brady*

Mark T. Brady, Sheriff



# Elkins Police Department

401 Davis Avenue  
Elkins, W.V. 26241  
Telephone 304-636-0678  
Fax 304-636-7866

January 9, 2017

Sarah J. Brown  
Senior Justice Program Specialist  
West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, WV 25301  
Phone: 304-558-8814 Extension 53337  
Fax: 304-558-0391

Dear Mrs. White:

Please place this letter with your application for funding under the STOP VAWA Grant Program for the upcoming year. It is the position of the Elkins Police Department to be a supporter of Women's Aid Crisis and the Randolph County STOP/START Team and the many works they provide to the county through the funding they are able to do through the STOP VAWA GRANT, as well as other programs.

This funding will provide a tremendous benefit to the City of Elkins. I believe this program will be beneficial in raising the awareness of domestic violence, as well as, provide much needed support and assistance to the victims of violence against women, including domestic and dating violence, stalking, and sexual assault. There is simply no substitute in this area of the state for the work the STOP/START Team has accomplished and will continue to enhance the efforts for law enforcement, prevention, awareness and victim's assistance.

Therefore, the Elkins Police Department strongly supports this grant request and if there is anything further this office can do to assist and aid in continuing to obtain this vital and important funding, please do not hesitate to contact me.

With warmest regards and best wishes I remain.

Sincerely,

Chief George D. Gross





**West Virginia State Police**  
**5190 Beverly Pike**  
**Beverly, West Virginia, 26253**  
**(304) 637-0200**  
**www.wvsp.gov**

**Earl Ray Tomblin**  
**Governor**

**02 January 2016**

**Superintendent**

Sarah Brown  
Senior Justice Program Specialist  
WV Division of Justice and Community Service  
1204 Kanawha Blvd., East  
Charleston, WV 35301

Dear Ms. Brown,

Please find this correspondence as support for funding under the STOP VAWA Grant Program. This funding will be vital to assist Women's Aid in Crisis and the Randolph County STOP/SART Team for their vision in a safer Elkins, Randolph County, West Virginia, specifically related to the reduction of and or the assistance to victims in domestic violence and sexual assault cases. The West Virginia State Police Elkins Detachment has been and will continue to be a partner in this effort.

In closing this officer would request a copy of this correspondence be placed with your application for funding under the STOP VAWA Grant Program and should any further assistance be needed do not hesitate contact the West Virginia State Police Elkins Detachment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sgt M.D. Anderson".

Sergeant M.D. Anderson  
Detachment Commander  
Troop -3- District -1- Elkins



***Roane County Sheriff's Office***

***L. Todd Cole, Sheriff***

*200 Main Street*

*Spencer, WV 25276*

*304-927-3410 or 304-927-2540*

*Fax: 304-927-4160*

---

January 11, 2017

To: Family Crisis Intervention Center  
Emily Larkins, Director  
P.O. Box 695  
Parkersburg, WV 26102

Re: Letter of Support for EVE (Eliminating Violent Environments), Spencer, Roane Co.

Greetings,

Please permit this letter to serve as a letter of support for the EVE Program here in Roane County. Anita Freeland has worked with our department in numerous cases, and her support and assistance is greatly appreciated. I feel that without the EVE Program persons needing assistance may never come forward. Our department and the people of Roane County have benefited from this program, and we hope it continues.

If you have any questions or comments, please feel free to contact me at the number above.

Sincerely,

A handwritten signature in black ink, appearing to be "LTC" or similar, written over the word "Sincerely,".

L. Todd Cole, Chief Deputy





CITY OF  
CHARLESTON, WEST VIRGINIA  
POLICE DEPARTMENT



P.O. BOX 2749  
CHARLESTON, WEST VIRGINIA 25330

January 31, 2017

To Whom It May Concern:

The Charleston Police Department has consulted with the Kanawha County Prosecutor's Office, Kanawha Magistrate Court, Family Counseling Connection and YWCA Resolve Family Abuse Program in developing the grant applications in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

We look forward to continuing our work with these, and other agencies, to assist and support crime victims.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Webster", followed by a horizontal line.

Brent Webster  
Chief of Police





**Kanawha County Sheriff's Office**  
**Law Enforcement Division**  
301 Virginia Street, East  
Charleston, West Virginia 25301

**Sheriff**  
**Michael Y. Rutherford**  
304-357-0216

**Chief Deputy**  
**Gregory S. Young**  
304-357-0150

January 30, 2017

Sarah Brown  
Senior Justice Program Specialist  
West Virginia Division  
of Justice & Community Services  
1204 Kanawha Boulevard, East  
Charleston, West Virginia 25301

Re: Violence Against Women Grant Application

Dear Ms. Brown:

I am writing in support of the Violence Against Women Grant Application requesting money for our officers to work overtime investigating cases involving violence against women, and serving Domestic Violence Protection Orders. As an active member of the STOP Team and the Domestic Violence Task Force, the Kanawha County Sheriff's Office recognizes the need for continued funding to maintain a collaborative effort to combat these crimes in Kanawha County.

The Violence Against Women Grant has been very beneficial in our efforts to properly investigate these crimes. Please feel free to contact me if you need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Y. Rutherford".

Michael Y. Rutherford  
Kanawha County Sheriff

MYR/sm





## Clarksburg Police Department, Detective Division

222 West Main Street • Clarksburg, West Virginia 26301  
Phone: 304-624-1618 • Fax: 304-624-1616 • Tip-Line: 304-624-1625



Dear STOP Team Committee,

The Clarksburg Police Department is pleased to give support to the West Virginia STOP Violence Against Women FY 2016 Grant Program in Harrison County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Harrison County to receive an improved, coordinated response to their situation using a Team approach. This grant will be able to significantly enhance our officer's knowledge of domestic violence, dating violence, stalking, and sexual assault resulting in improved services to victims. This grant will specifically allow our officers to work overtime hours that will be dedicated to the crimes of domestic violence, dating violence, stalking, and sexual assault. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Harrison County.

DET/PFC Paul Graeber

*Paul Graeber*  
2-2-17



Lieutenant Jason B. Snider  
Sergeant Jason E. Webber  
Sergeant J.M. Walsh

Detective Chris Willis  
Detective Paul D. Graeber  
PFC L. Menendez



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Bridgeport Police Department  
Investigations Division  
515 West Main St.  
Bridgeport, West Virginia, 26330  
(304) 842-8264 Ph. #  
(304) 842-8267 Fax #



February 1, 2017

Dear STOP Team Committee,

The Bridgeport Police Department is pleased to give support to the West Virginia STOP Violence Against Women FY 2016 Grant Program in Harrison County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Harrison County to receive an improved, coordinated response to their situation using a Team approach. This grant will be able to significantly enhance our officer's knowledge of domestic violence, dating violence, stalking, and sexual assault resulting in improved services to victims. This grant will specifically allow our officers to work overtime hours that will be dedicated to the crimes of domestic violence, dating violence, stalking, and sexual assault. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Harrison County.

Thank you,

A handwritten signature in dark ink, appearing to read "Chief J. Walker".  
Chief J. Walker



**HARRISON COUNTY  
SHERIFF AND TREASURER**

**ROBERT G. MATHENY**

301 WEST MAIN STREET  
CLARKSBURG, WEST VIRGINIA 26301  
PHONE (304) 624-8550 FAX (304) 624-8734



February 1, 2017

Dear STOP Team Committee,

The Harrison County Sheriff's Department is pleased to give support to the West Virginia STOP Violence Against Women FY 2016 Grant Program in Harrison County to address the crimes of domestic violence, dating violence, stalking, and sexual assault. Violence can occur across all socioeconomic levels, from the rich to the poor, and does not discriminate against age or race. The STOP Violence Against Women funds will allow all victims of violence in Harrison County to receive an improved, coordinated response to their situation using a Team approach. This grant will be able to significantly enhance our officer's knowledge of domestic violence, dating violence, stalking, and sexual assault resulting in improved services to victims. This grant will specifically allow our officers to work overtime hours that will be dedicated to the crimes of domestic violence, dating violence, stalking, and sexual assault. With a more coordinated criminal justice response, we hope to hold abusers more accountable for their actions and work to decrease violence in Harrison County.

Sincerely,

  
Robert G. Matheny  
Sheriff



Michael A. Mayes  
Chief Deputy



Phone (304) 792-8590  
Fax (304) 792-8596

Sheriff  
Sonya M. Dingess Porter  
Logan County Sheriff's Department  
Law Enforcement Division  
300 Stratton Street - Room 209  
Logan, WV 25601

February 9, 2017

Sarah J. Brown  
Division of Justice & Community Services  
Department of Military Affairs & Public Safety  
1204 Kanawha Blvd., East  
Charleston, WV 25301

RE: STOP VAWA Grant Proposal  
(Mingo County-Tug Valley Recovery Shelter)

Dear Ms. Brown:

Please be advised that I am strongly supporting the Tug Valley Recovery Shelter (Mingo County) STOP VAWA Grant Proposal. Now with county and state budget restraints we all are currently seeing how it is effecting our law enforcement and crime victim services. So it is important to have this funding continue because it is vital funding for the following agencies that provided crime victim services:

- Assistant Prosecuting Attorney that specializes in enforcing domestic violence laws and prosecuting offenders.
- Extended services provided by Law Enforcement Division of Logan County Sheriff's Department as well as the Mingo County Sheriff's Department.
- A Court Advocate that assists domestic violence victims in filing protective orders.

The Tug Valley Recovery Shelter (Mingo County) STOP VAWA Grant would service the both population of both Mingo and Logan County regardless of the age, marital status, disability, race, ethnicity, or language background.

Your approval of the Tug Valley Shelter (Mingo County) STOP VAWA Grant will assure that current victim centered services would continue for our underserved population of those that are effected by domestic violence.



Thank you for your time and consideration of the Tug Valley Recovery Shelter (Mingo) STOP Grant VAWA Grant Proposal.

If you may need any additional information from myself or my office please feel free to contact me at (304) 792-8590.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sonya M. Dingess Porter / Sheriff".

Sonya M. Dingess Porter  
Sheriff of Logan County

cc: File Copy





***ALDERSON POLICE DEPARTMENT***

POST OFFICE BOX 179  
CITY BUILDING-202 SOUTH MONROE STREET  
ALDERSON, WV 24910  
TELEPHONE (304) 445-2355  
FAX (304) 445-7652

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Monroe County STOP Grant

Dear Ms. Boothe,

Alderson Police Department is pleased to continue a relationship with the Monroe County STOP team under the STOP VAWA Grant. This grant is very valuable for the continuing effort the STOP Team is making towards community awareness of domestic violence, sexual assault, dating violence and stalking in Monroe County, West Virginia.

Alderson Police Department will commit to the STOP Team by involvement at the STOP meetings and Community Response meetings. It is clearly a priority for us, and our community will be well served.



Chief Jeremy Bennett

Alderson Police Department



Sheriff of Monroe County  
PO Box 350,  
Union, West Virginia 24983  
Telephone: 304-772-3018 Fax: 304-772-5051



Sheriff Sean Crosier

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Monroe County STOP Grant

Dear Ms. Boothe,

The Monroe County Sheriff's Department is pleased to continue a relationship with the Monroe County STOP team under the STOP VAWA Grant. This grant is very valuable for the continuing effort the STOP Team is making towards community awareness of domestic violence, sexual assault, dating violence and stalking in Monroe County, West Virginia.

The Monroe County Sheriff's Department will commit to the STOP Team by involvement at the STOP meetings and Community Response meetings. It is clearly a priority for us, and our community will be well served.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cpl. Philip R. Wickline', with a long, sweeping horizontal line extending to the right.

Cpl. Philip R. Wickline  
Monroe County Sheriff's Department





West Virginia State Police  
381 Greenbrier Road  
Lewisburg, West Virginia 24901  
(304) 647-7600

Jim Justice  
Governor

Colonel Jan Cahill  
Superintendent

January 23, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The **WVSP-Lewisburg Detachment** is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The **WVSP-Lewisburg Detachment** will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that **WVSP-Lewisburg Detachment** and the Family Refuge Center have embraced this project.

Sincerely,

A handwritten signature in cursive script that reads "Sgt. D. A. Evans".

**Sgt. D. A. Evans**  
**Detachment Commander**  
**Troop "6", District 3**





# LEWISBURG POLICE DEPARTMENT

*National Register Historic District*

119 Preston Boulevard • Lewisburg, West Virginia 24901-0548  
304/645-1626 • Fax 304/645-1025

Tim Stover  
Chief of Police

**01/25/2017**

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The **Lewisburg Police Detective Division** is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The **Lewisburg Police Detective Division** will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that **Lewisburg Police Detective Division** and the Family Refuge Center have embraced this project.

Sincerely,

**Sgt. Jeff Vance**  
**Detective**





# LEWISBURG POLICE DEPARTMENT

*National Register Historic District*

119 Preston Boulevard • Lewisburg, West Virginia 24901-0548  
304/645-1626 • Fax 304/645-1025

Tim Stover  
Chief of Police

01-19-2017

Kenosha Davenport, Executive Director  
Family Refugee Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The Lewisburg Police Department is pleased to continue a relationship with the Family Refugee Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The Lewisburg Police Department will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that Lewisburg Police Department and the Family Refugee Center have embraced this project.

Sincerely,

Tim Stover  
Chief





# Rainelle Police Department

Chief J.P. Stevens

Unit# 501



201 Kanawha Ave.  
P.O. Box 648  
Rainelle, WV 25962  
Email: chiefjp.rainellepd@yahoo.com

Office 304.438.7772  
City 304.438.7191  
Cell 304.673.4586  
Fax 304.438.6319

January 27, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The *Rainelle, Rupert, and Quinwood Police Departments* are pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The *Rainelle, Rupert, and Quinwood Police Departments* will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that *the Rainelle, Rupert, and Quinwood Police Departments* and the Family Refuge Center have embraced this project.

Sincerely,

J.P. Stevens  
Chief





**WEST VIRGINIA STATE POLICE**

354 John Raine Dr  
Rainelle, WV 25962  
Ph: (304) 438-3000  
Fax: (304) 438-3001  
[www.wvsp.gov](http://www.wvsp.gov)

**Jim Justice**  
**Governor**

**Colonel J.L. Cahill**  
**Superintendent**

**January 20, 2017**

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The WVSP-Rainelle is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The WVSP-Rainelle will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that WVSP-Rainelle and the Family Refuge Center have embraced this project.

Sincerely,

A handwritten signature in cursive script, reading "Sgt. H.F. Blevins".

**Sgt. H.F. Blevins**  
**Detachment Commander**  
**Troop "6" Rainelle**





## GREENBRIER COUNTY SHERIFF'S OFFICE

P. O. BOX 347 – LEWISBURG, WV 24901

912 COURT STREET NORTH

Bruce A. Sloan – Sheriff & Treasurer  
bruce.sloan@greenbriercounty.net

Email: gbrso@yahoo.com  
Law Enforcement: (304) 647-6634  
Fax: (304) 647-6636  
Tax Office: (304) 647-6609  
Fax: (304) 647-5429

January 30, 2017

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

Ms. Boothe:

The Greenbrier County Sheriff's Office is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The Greenbrier County Sheriff's Office will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that the Greenbrier County Sheriff's Office and the Family Refuge Center have embraced this project.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Sloan".

Bruce Sloan  
Sheriff of Greenbrier County



# GREENBRIER COUNTY SHERIFF'S DEPARTMENT

P. O. Box 347 – Lewisburg, West Virginia 24901

**Bruce A. Sloan – Sheriff & Treasurer**  
[bruce.sloan@greenbriercounty.net](mailto:bruce.sloan@greenbriercounty.net)

Email: [gbrso@yahoo.com](mailto:gbrso@yahoo.com)  
Law Enforcement: (304) 647-6634  
Fax: (304) 647-6636  
Tax Office: (304) 647-6609  
Fax: (405) 647-5429

01/31/2017

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The Greenbrier County Sheriff Department is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The Greenbrier County Sheriff Department will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that Greenbrier County Sheriff Department and the Family Refuge Center have embraced this project.

Sincerely,



Sgt. Ronald B. Baker





## GREENBRIER COUNTY SHERIFF'S OFFICE

P. O. BOX 347 – LEWISBURG, WV 24901

920 COURT STREET NORTH

Bruce A. Sloan – Sheriff & Treasurer  
bruce.sloan@greenbriercounty.net

Email: gbrso@yahoo.com

Law Enforcement: (304) 647-6634

Fax: (304) 647-6636

Tax Office: (304) 647-6609

Fax: (304) 647-5429

January 30, 2017

West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, WV 25301

To Whom It May Concern:

Please be advised the Family Refuge Center has consulted with the Greenbrier County Sheriff's Office in the development of their grant application in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Sloan".

Bruce Sloan  
Sheriff of Greenbrier County

RECEIVED

FEB 08 2017

Division of Justice &  
Community Services



Joseph I. Ciccarelli, Chief of Police



Huntington Police Department

(304) 696-5510

(304) 696-4434

jciccarelli@hpdwv.com

675 Tenth Street, Huntington, WV 25701

www.hpdwv.com

January 25, 2017

Sarah J. Brown, Senior Justice Program Specialist  
West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, West Virginia 25301

RE: 2017 STOP Violence Against Women Grant Application

Dear Ms. Brown,

Please accept this letter as support for the Branches Domestic Violence Shelter, Inc., Huntington, West Virginia, grant application for the 2017 STOP Violence Against Women Grant.

I believe that the continuation of the Cabell County STOP Team's efforts to improve the services available to victims of domestic violence, dating violence, sexual assault and stalking is imperative to the health of the community which it serves. The Huntington Police Department directly benefits from this grant by providing an additional two officers to serve Domestic Violence Petition's (DVP's) and respond to domestic calls. This additional man power enables the Huntington Police Department to reduce the number of days within which DVP's are served and reduce the time within which officers are able to respond to domestic calls. In addition to these services, the STOP grant also provides funding for approved training to the detectives of the Huntington Police Department's Family Crimes Unit.

Attached hereto is demographic information regarding the victims of domestic violence and domestic battery that the Huntington Police Department has reported on from the 11<sup>th</sup> of December to present.

If I can be of additional assistance regarding this matter, please contact me directly. I look forward to the continued combined efforts of all agencies involved in the Cabell County STOP Team in improving our victim services.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joseph I. Ciccarelli". The signature is fluid and cursive.

Joseph I. Ciccarelli  
Chief of Police

tf

attachment





# Morgantown Police Department

300 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
(304) 284-7522  
[www.morgantownwv.gov](http://www.morgantownwv.gov)



August 22, 2016

West Virginias Against Domestic Violence Committee

Re: STOP WAWA Grant

Dear Committee Members,

Please be advised that the Morgantown Police Department has consulted with the Rape and Domestic Violence Information Center, Inc. in the development of their grant application in order to ensure that the proposed activities and any equipment acquisitions are designed to promote the safety, confidentiality and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

It is understood that the use of resources is not to be restrictive to age, marital status, disability, race, ethnicity or language background regardless of the demographic characterization of the population of Monongalia count and the City of Morgantown.

Should you have any questions, please do not hesitate to contact me at your earliest convenience.

Sincerely,



Ed Preston, Chief of Police





# MONONGALIA COUNTY

## PERRY M. PALMER



Sheriff and Treasurer

116 WALNUT STREET  
MORGANTOWN, WV 26505

January 30, 2017

Rape and Domestic Violence  
Information Center Inc.  
P O Box 4228  
Morgantown WV 26505

To Whom It May Concern:

As in recent years, the Monongalia County Sheriff's Department has participated in the S.T.O.P. Grant. This grant has been very instrumental in allowing my deputy's extra man-hours to enforce the law regarding domestic violence.

These funds have been instrumental in providing resources for the service and enforcement of family violence protective orders. This funding has also been utilized for the investigation of cases that involve improper or illegal sexual conduct.

It is with sincere appreciation that I write this letter in support of the continuation of the S.T.O.P. Grant.

Sincerely,

Perry Palmer  
Sheriff and Treasurer  
Monongalia County Sheriff's Department



# PUTNAM COUNTY SHERIFF'S DEPARTMENT

STEVE DEWEESE, SHERIFF

236 COURTHOUSE DRIVE, SUITE 8

WINFIELD, WEST VIRGINIA 25213

304-586-0256 FAX 304-586-0260

February 24, 2017

Sarah Brown  
Department of Criminal Justice Services  
1204 Kanawha Boulevard East  
Charleston, WV 25301

To Whom It May Concern:

This letter is to inform you of the importance of Violence Against Women Act (VAWA) funding for Putnam County and our commitment to participate in the development of the state's implementation plan. The state plan will address the needs of victims of domestic violence, sexual assault, stalking and dating violence. The Putnam County STOP Team works to ensure the safety of victims in collaboration with our VAWA Funded Special Investigator for Domestic Violence, Cpl. Tony Craigo. Continued VAWA funding is critical to providing assistance, protection and services to victims in Putnam County.

Sincerely,



Steve Deweese  
Sheriff of Putnam County





Kevin Cecil, Sheriff  
Marshall County Sheriff's Office  
P.O. Box 648  
Moundsville, West Virginia 26041

Email  
sheriff@marshallcountywv.org

Law Enforcement  
304-843-1500

Law Enforcement Fax  
304-843-1551

Tax Office  
304-843-1400

Tax Office Fax  
304-845-1283

March 9, 2017

To Whom It May Concern,

The STOP Grant continues to be a vital part of the MCSO domestic violence program. These funds enable us to keep a full-time deputy staffed to respond to domestic violence incidents. Without these funds this responsibility would be widespread throughout the department and not the focus of one officer. Having one officer assigned to the domestic violence program lets us continue our partnership with the Prosecutor's Office and the YWCA Victim Advocate. The funds that support this partnership allow us to continue streamlining the legal process for victims of domestic violence.

As you are aware, the population of Marshall County WV is 97.5% white. Receiving these funds not only enable us to assist our rural residents, they give us the ability to improve outreach/services to our minority, elderly, gay and lesbian population. Without these funds this specialized outreach would probably not happen to the extent this partnership allows.

As you can see STOP VAWA funds are vital to keeping Marshall County's Domestic Violence Partnership intact. If you have any questions, please contact me at (304) 843-1500.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Cecil".

Kevin Cecil, Sheriff  
Marshall County, WV



The Senate of West Virginia  
Charleston

SENATOR MICHAEL A. WOELFEL  
5 SENATORIAL DISTRICT

STATE CAPITOL, ROOM 441-M  
304-357-7956

January 30, 2017

Sarah J. Brown, Senior Justice Program Specialist  
West Virginia Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, West Virginia 25301

Re: 2017 STOP Violence Against Women Grant Application

Dear Ms. Brown:

Please accept this letter as support for the Branches Domestic Violence Shelter, Inc., Huntington, West Virginia, grant application for the 2017 STOP Violence Against Women Grant.

Continuation of the Cabell County STOP Team's efforts to enhance services available to victims of domestic violence, dating violence, sexual assault and stalking is imperative to our community. This program is vital to victims of sexual exploitation, physical violence, emotional abuse, etc. who frequently experience a sense of intimidation when engaging in our justice system.

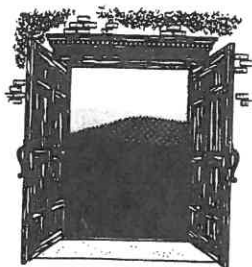
In the event I might provide additional information to assist in your review of the merits of this application, please call.

Sincerely,



Michael A. Woelfel  
Senator, 5<sup>th</sup> District





*Serving the Developmentally Challenged*

211 E. WASHINGTON STREET  
LEWISBURG, WV 24901  
(304) 645-2130 • 1-800-439-2135  
FAX (304) 647-9943

500 MAIN STREET, SUITE 106  
SUMMERSVILLE, WV 26651  
(304) 872-6560 • 1-800-491-4460  
FAX (304) 872-6579

[www.opendoorsinc.org](http://www.opendoorsinc.org)

## OPEN DOORS, INC.

January 26, 2017

Kenosha Davenport  
Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

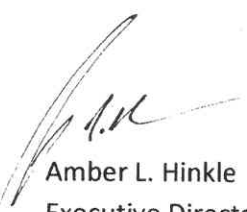
Dear Kenosha,

Open Doors for the Developmentally Challenged, Inc. is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

Open Doors, Inc. will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that ODI and the Family Refuge Center have embraced this project.

Sincerely,

  
Amber L. Hinkle  
Executive Director



**Greenbrier County  
Emergency Communications Center**

**911**

P.O. Box 218, Maxwelton, WV 24957  
**1/19/2017**

(304) 647-7911  
Fax (304) 647-7906

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The **Greenbrier County 911 Center** is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The **911 Center** will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that **Greenbrier County 911** and the Family Refuge Center have embraced this project.

Sincerely,



**Donna Hinkle**  
**Administrative Director**





## West Virginia School of Osteopathic Medicine

### *Office of the President*

January 27, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The West Virginia School of Osteopathic Medicine is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The West Virginia School of Osteopathic Medicine will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that West Virginia School of Osteopathic Medicine and the Family Refuge Center have embraced this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Adelman", with a long, sweeping horizontal line extending to the right.

Michael D. Adelman, D.O., J.D.  
President





202 Maplewood Avenue · Ronceverte, West Virginia 24970

Phone (304) 647-4411 · Facsimile (304) 647-6010 · [www.gvmc.com](http://www.gvmc.com)

January 18, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The Greenbrier Valley Medical Center is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The Greenbrier Valley Medical Center will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that Greenbrier Valley Medical Center and the Family Refuge Center have embraced this project.

Sincerely,

Tom Neal  
Chief Executive Officer



---

**Southeastern Regional Drug Court  
ELEVENTH JUDICIAL CIRCUIT**

Drug Court Probation Officer:  
Adam Carr  
Phone: (304) 793-3257  
Fax: (304) 647-6679

P.O. Box 28  
Lewisburg, WV 24901  
Greenbrier/Pocahontas County



**January 23, 2017**

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

The **Adult Drug Court/Probation Department** is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

The **Adult Drug Court/Probation Department** will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that **Adult Drug Court/Probation Department** and the Family Refuge Center have embraced this project.

Sincerely,

**Adam J. Carr**

**Southeastern Regional  
Drug Court Probation Officer**





*Seeking Justice, Changing Lives*

LEWISBURG

125 Green Lane  
Lewisburg, WV 24901  
P: (304) 645-3131, ext. 2614  
F: (304) 647-3581  
lsills@lawv.net

January 24, 2017

Kenosha Davenport, Executive Director  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Greenbrier County Community Response Team Commitment Letter

To Whom It May Concern:

Legal Aid of West Virginia is pleased to continue a relationship with the Family Refuge Center under the STOP VAWA Grant by participating in the Community Response Team. This Grant is very valuable to the continuing effort the Community Response Team is making towards community awareness of domestic violence, dating violence, sexual assault and stalking.

Legal Aid of West Virginia will commit to the Community Response Team by the involvement of our personnel in meetings and through in-kind contributions. It is clearly a priority for us, and our community will be well served.

In closing, I would like to say that I am proud that Legal Aid of West Virginia and the Family Refuge Center have embraced this project.

Sincerely,

Leah Sills,  
Supervising Attorney





*Seniors and Future  
Seniors Working  
Together For  
The Future of All!*

**John Wyman  
Executive Director**

**Greenbrier County Committee on Aging, Inc.**  
**284 Greenbrier Street**  
**P.O. Box 556**  
**Rupert WV, 25984**  
**304-392-5138 phone**  
**304-392-5969 FAX**  
**E-mail Address: [gcca@suddenlinkmail.com](mailto:gcca@suddenlinkmail.com)**  
**[www.. Greenbriercountycoa.com](http://www.Greenbriercountycoa.com)**

Jan. 19, 2017

To Whom It May Concern:

The Greenbrier County Committee on Aging is pleased to continue our successful relationship with the Family Refuge Center by participating in the STOP VAWA Grant by participating in the local Community Response Team. The GCCA provides services to seniors in Greenbrier County and one of our on-going efforts is working on the issues of Elder Abuse. Our participation in the Community Response Team has contributed to both the awareness of this issue in our community and access to resources and collaboration with professionals and agencies.

The Greenbrier County Committee on Aging commits to the Community Response Team by participation in meetings and though in-kind contributions. We know that this is an important element to ending family violence, sexual assault, dating violence and stalking in Greenbrier County, as well as elder abuse.

We value our partnership with the Family Refuge Center and look forward to continuing this vital work in Greenbrier County.

Sincerely,

*Gloria Martin*

Gloria Martin

GCCA Board Member

Elder Abuse Awareness Comm.





MONROE COUNTY OFFICE OF EMERGENCY MANAGEMENT  
PO BOX 911  
UNION, WV 24983  
PHONE: 304-772-3925  
FAX: 304-772-3924

---

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

RE: Monroe County STOP Grant

Dear Ms. Boothe,

Monroe County Office of Emergency Management is pleased to continue a relationship with the Monroe County STOP team under the STOP VAWA Grant. This grant is very valuable for the continuing effort the STOP Team is making towards community awareness of domestic violence, sexual assault, dating violence and stalking in Monroe County, West Virginia.

Monroe County Office of Emergency Management will commit to the STOP Team by involvement at the STOP meetings and Community Response meetings. It is clearly a priority for us, and our community will be well served.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey W. Jones", with a long horizontal flourish extending to the right.

JEFFREY W. JONES

OEM, Director

304-772-3925

[jjones@monroecountywv.net](mailto:jjones@monroecountywv.net)





STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Jim Justice  
Governor

Bureau for Children and Families  
Region IV  
Greenbrier/Monroe/Pocahontas/Summers District  
P.O. Box 678  
Union, West Virginia 24983  
Telephone: (304) 772-3013 Fax: (304) 772-4372

Bill J. Crouch  
Cabinet Secretary

Paula Boothe, Board President  
Family Refuge Center  
P.O. Box 249  
Lewisburg, WV 24901

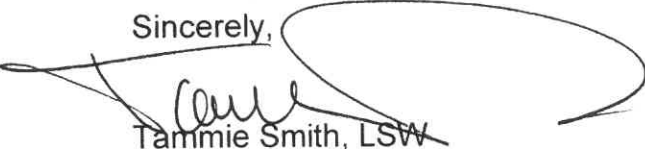
RE: Monroe County STOP Grant

Dear Ms. Boothe,

The West Virginia Department of Health and Human Resources is pleased to continue a relationship with the Monroe County STOP team under the STOP VAWA Grant. This grant is very valuable for the continuing effort the STOP Team is making towards community awareness of domestic violence, sexual assault, dating violence and stalking in Monroe County, West Virginia.

The West Virginia Department of Health and Human Resources will commit to the STOP Team by involvement at the STOP meetings and Community Response meetings. It is clearly a priority for us, and our community will be well served.

Sincerely,

  
Tammie Smith, LSW  
Child Protective Service Worker  
WVDHHR





## *Roane County Commission*

*200 Main Street  
Spencer, WV 25276  
304 927-0078*



*jenrand@commission.state.wv.us*

*Melissa O'Brien, President*

*Merlin Shamblin*

*Randy Whited*

January 11, 2017

Family Crisis Intervention Center  
P. O. Box 695  
Parkersburg, WV 26012

To Whom It May Concern:

The Roane County Commission is extremely pleased to be a part of the Roane County Outreach Center's Eliminating Violent Environments (EVE) program. The donated space has a value of approximately \$2,400 annually and the utilities are approximately \$2,400 annually as well. We feel that providing an office location for this program is a minor contribution considering the importance of working towards eliminating domestic violence.

Undoubtedly, the works of the EVE Director, Anita Freeland, along with the volunteers that assist the clients of the office, have been advantageous to our county and surrounding areas. The office is operated in a very professional manner and yet with a friendly family atmosphere.

We wish you continued success and want you to know that we are very supportive of your program. Please advise us of any assistance that we may offer towards attainment of your goals.

Sincerely,

*Melissa O'Brien | jja*

Melissa O'Brien, President  
Roane County Commission

MOB/jjr



## **APPENDIX C**

### **West Virginia's STOP Violence Against Women Grant Application**



# **STOP Violence Against Women (STOP VAWA) Grant Program**

FFY 2016 Federal Funds

## **WV Grant Application Instruction Manual**





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# WV STOP VAWA Grant Program

## Grant Application Instructions

### Section I

Overview: The goal of STOP (Services\*Training\*Officers\*Prosecutors) Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and nongovernmental agencies to restructure and strengthen the Criminal Justice System's response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to deal with this complex problem. STOP VAWA promotes a coordinated, multidisciplinary approach to improve the criminal justice system's response to victims of domestic violence, sexual assault, dating violence, and stalking crimes.

NOTE: Nothing in the VAWA Act shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under the Act; however, the Act does not require the funding of male-only programs with VAWA funds.

### Section II

Application Deadline: Original applications must be received at DJCS no later than **5:00 PM on Friday, February 3, 2017. Faxed or late applications will NOT be accepted.** Please make sure the Authorized Official signs page one of the application (Appendix B); Attachment B and Attachment D before submission.

Completed applications must be submitted to:

Attn: Sarah J. Brown  
State STOP Administrator  
WV Division of Justice and Community Services  
1124 Smith Street, Suite 3100  
Charleston, WV 25301-1323

If you have any questions or need assistance in the preparation of this grant application, please contact Sarah J. Brown at:

Telephone: (304) 558-8814, ext 53337  
Fax (304) 558-0391  
E-mail: [Sarah.J.Brown@wv.gov](mailto:Sarah.J.Brown@wv.gov)

### Section III

Eligible Applying Agencies:

Units of State and Local Governments  
Private Non-Profit Organizations



Refer to **Appendix I** for applicable Program Guidelines and Requirements

#### **Section IV**

##### Grant Application Process:

Applicants for the STOP Violence Against Women (STOP VAWA) Grant funds must apply on an annual basis. Grant funding is awarded on a competitive basis each year. **There is no guarantee of funding beyond the one year award period.**

The application process consists of the following steps:

1. Applications for federal funds by agencies are initiated by completing a STOP Violence Against Women grant application for a project and submitting it to the Division of Justice and Community Services. The standard grant application kit must be used for all grants. The application kits are available from the Division of Justice and Community Services.
2. Applications will be promptly acknowledged upon receipt and reviewed for completeness by DJCS staff. Applicants will be contacted if omissions appear and will be given 10 working days to complete and submit the missing documentation. **All STOP Teams must develop their application as a team.**

**State Law Enforcement, Court and Prosecutor applicants are required to meet and develop their application with assistance from the West Virginia Coalition Against Domestic Violence and the West Virginia Foundation for Rape Information and Services.**

*NOTE: Late applications and applications that do not meet a documented extended 10-day deadline for completeness will **not** be forwarded to the Advisory Committee for funding consideration.*

3. Staff will assess the merit and overall need of the project as well as evaluate how the specific project will satisfy state goals and objectives. Comments and/or recommendations will be attached and the application will be forwarded to the West Virginians Against Violence Committee for consideration after staff has evaluated the merits of the application that might include, but will not necessarily be limited to:
  - a. Compliance of the proposed project application with the priority programs described in the state plan.
  - b. Compliance with federal and state program guidelines and special conditions and assurances of the grant program.



- c. The eventual assumption of costs by the applicant agency (Plan of Sustainability).
- d. Measurability and appropriateness of the stated goals and objectives. Goals and Objectives must address the Problem Statement and Underserved Populations.
- e. Probability that the grant will achieve its objective(s).
- f. Adequate fiscal responsibility and resources.
- g. Reasonableness of the proposed budget, clearly itemized budget, and total source of funding for the project.
- h. Certification that federal funds will not be used to supplant or replace state or local funds.
- i. Coordination of efforts with other local jurisdictions and federal grant programs.
- j. Need for the project. The statement of need or problem statement is clearly identified and substantiated by research and statistics.
- k. Geographic area(s) to be served.
- l. Ability to address the needs of underserved populations, including limited English proficiency plan.
- m. Ability to build on previous years of reducing and preventing domestic violence, sexual assault, dating violence and stalking crimes.
- n. **Demonstrate a well developed and true team concept with the project.**
- o. **Demonstrate a true victim centered approach to responding to domestic violence, sexual assault, stalking and dating violence crimes.**
- p. **Demonstrate community awareness and support. A documented interagency linkage and collaboration with community programs such as referral agreements, letter of working agreements, and/or support letters.**
- q. Detailed project implementation plan and schedule.



- r. Adequacy of evaluation strategy to determine the success of the project.
4. Members of the applying team who are familiar with the proposed project may be requested to attend the West Virginians Against Violence Committee Meeting to make a brief presentation and/or by conference call if not required to attend in person to answer any questions regarding the proposal. All core members (a Victim Service provider; a Law Enforcement Officer; and a Prosecutor) of each STOP Team application may be required to appear in-person before the Committee.

At least one member of statewide projects must be available in-person to make a presentation to the Committee and/or answer questions by conference call if not required to attend in person. Applicants will be notified of the date, time and location of their in-person presentation before the Committee.
5. Based primarily upon the West Virginians Against Violence Committee, staff will submit one of the following recommendations for funding:
  - a. Approve the application as submitted.
  - b. Approve with conditions, budget adjustments, or amendments to the application.
  - c. Denial.

## **Section V**

### What an Application Must Include:

#### **General Administrative Information – Page 1**

The following information will need to be completed in its entirety for the application to be considered complete.

- ☞ **Applicant:** List name, address (**address must be the address listed with the Auditor's office and as default address on OASIS**), telephone number, and fax number of the agency applying for STOP VAWA grant funds. The applicant must be a unit of state or local government or a 501(c)(3) private non-profit organization.
- ☞ **Type of Agency:** Check the type of agency applying for funds – State, County, Municipal, or Non-profit.
- ☞ **Project Director:** List name, address, telephone number, fax number, and e-mail of the individual charged with facilitating the project (**the actual day-to-day operation and implementation**). **This individual cannot also be the fiscal officer or authorized official.**



- ☞ **Fiscal Officer:** List the name, address, telephone number, fax number, and e-mail of the person responsible for the fiscal records of the project. **This individual cannot also be the authorized official or project director.**
- ☞ **Amount Requested:** Enter the amount of STOP Violence Against Women grant funds being requested for the project.
- ☞ **Amount Awarded:** DO NOT ENTER ANYTHING IN THIS BOX. This amount will be completed by DJCS when final awards are made.
- ☞ **Project Period.** Federal Fiscal Year 2016 STOP Violence Against Women grant funds will be funded for twelve (12) months beginning July 1, 2017 and ending June 30, 2018. (This is dependent upon Federal Grant Period.)
- ☞ **Percent Breakdown by Crime Category:** Enter the percent of time your project proposes to spend on each of the listed violence against women crimes (domestic violence, sexual assault, stalking, and dating violence) during the grant period. **The total should equal 100.**
- ☞ **Prior STOP VAWA Grant Funding:** Indicate whether or not the applicant has received prior years of funding through the STOP VAWA program. If the applicant has received a prior year(s) of funding, indicated how many years.
- ☞ **Estimated number of victims to be served by the grant:** Provide a projected number of victims to be served through this project. Statewide projects can record N/A for not applicable for this section.
- ☞ **Geographic Area Served:** Indicate the county served by this (STOP VAWA only) grant project. List the total population of the county to be served and indicate whether the geographic area is primarily urban or rural. If the grant project will serve the entire state, reflect a “Statewide” service area.
- ☞ **List of Participating Agencies:** Provide a list of other agencies that will be participating in this project. Team applications should list team member agencies. Statewide projects should list any partner agencies for the project such as advisory committee agencies.
- ☞ **Project Title:** Provide a **brief** title for the proposed project. Team applications will list the County STOP Team name. Statewide projects will list a project title (i.e. Statewide SART/SANE Coordination).
- ☞ **Project Description:** Provide an overview of the program which will include a **BRIEF** summary of the program’s concept and overall goal. **NOTE – this section is limited to the space provided.**
- ☞ **Authorized Official:** List the name, title, address, telephone number, fax number, and e-mail of the individual authorized to apply for these grant funds on behalf of the applying agency. Example of authorized officials could include County Commission Presidents, Mayors, State Agency Directors, or Board of Director Presidents. **This individual cannot also be the project director or fiscal officer.** An **original signature** of the authorized official is required on page one.



## Budget Summary – Page 2

List the applicant and the applicant's Federal Employee Identification Number (FEIN) and the DUNS Number in the spaces provided. All applicants must have a Data Universal Numbering System (DUNS Number) you may obtain this by calling 1-866-705-5711 or by applying online at <http://www.dnb.com/us/>. All applicants are required to be registered and updated yearly with the System for Award Management (SAM) at [www.sam.gov](http://www.sam.gov).

- ☞ **STOP VAWA Requested Funds Column:** Indicate the amount of grant funds requested in the various category items allowable under the STOP VAWA grant program.
- ☞ **Matching Funds Column:** Indicate the other funds allocated to the various budget line items. This is the matching contribution.
- ☞ **Total Budget:** STOP VAWA requested grant funds plus other (matching) funds.
- ☞ **Funding Strategy:** List separately **each** source of funds for the project/agency and indicate the status of each funding source as outlined under the Funding Strategy section. This includes matching funds.

***Note - STOP Violence Against Women grant funds are set up on a reimbursement basis only – no lump sum distributions. Financial reports are submitted each month to obtain reimbursement through the grant for monthly project expenditures. For STOP Teams DJCS reimburses the sub-grantee and the sub-grantee reimburses the agencies in the grant.***

**MATCH:** Portions of funded projects must receive financial support from sources other than STOP VAWA funding (cannot match Federal funds with other Federal funding sources). This is known as the matching contribution that is the statutory ratio that must be applied to the grantee as its portion of a grant. The purpose of matching funds is to augment the amount of resources available to the project from grant funds and to foster the dedication of state, local and community resources to the purposes of the project. Note: Each agency requesting funds must meet their own match. (Match is based upon a formula not straight 27%; please refer to guidelines)

The matching requirements are as follows:

- a. Private Non-Profit Agencies: A contribution of non-Federal dollars is **not** required for these agencies under the victim service category.

**If private non-profit agencies apply for discretionary funds (or any category other than victim services) the match requirement is not waived.** The standard 27% (match is based upon a formula not straight 27%; please refer to guidelines) match requirement is still mandatory.



- b. Government Agencies: 27% Cash or In-Kind Match  
Government agencies, as a part of the team, must provide a minimum of 27% match from other non-federal sources for their portion of the application. This match may be cash or in-kind. (Match is based upon a formula not straight 27%; please refer to guidelines)

The method for calculating the appropriate match for individual VAWA grants is as follows:

Step 1: Amount of Grant Requested Funds ÷ .73 = Total Project Amount  
Step 2: Total Project Amount – (minus) Grant Requested Funds = Match Amount

Please refer to **Appendix I** for further guidance on match calculations and requirements.

### **Budget Detail – Page 3**

Provide a breakdown of the category totals listed on Page 2. This information should include general line item information by budget category. Each discipline eligible to apply (victim service provider, cultural specific organization, prosecution, law enforcement, discretionary and court) have their own Budget Detail page. Please be sure to complete the correct Budget Detail by Category Page for each agency requesting funding. If requesting **Sexual Assault Set Aside Funds** in Victim Services, Prosecution or Law Enforcement, be sure to specify as Sexual Assault Set Aside Funds.

- ☞ **Personnel / Contractual**: List personnel expenses for all purposes proposed through the grant, including any contracting/consulting services. For line item, list the name and title of the positions and salary costs and benefits. List whether the position is salary or hourly; part-time or full-time. Also list any matching contribution under “matching funds”. If requesting **Sexual Assault Set Aside Funds** in Victim Services, Prosecution or Law Enforcement, be sure to specify as Sexual Assault Set Aside Funds.
- ☞ **Travel / Training**: Reflect all project travel costs and/or training expenses associated with this proposal. List the names/titles of identified training events proposed to attend. If requesting **Sexual Assault Set Aside Funds** in Prosecution or Law Enforcement, be sure to specify as Sexual Assault Set Aside Funds.

Travel expenses incurred for this project must be for the purpose of meeting the objectives of the project. Therefore, travel expenses incurred in providing services to victims of domestic violence, sexual assault, stalking and dating violence crimes, such as transporting victims to domestic violence shelters/rape crisis centers, to court proceedings, and



to other referral agencies may be reimbursable in accordance with WV State Travel Regulations.

A portion of the grant may be utilized to cover training expenses (registration fees, mileage, per diem, and lodging) in accordance with WV State Travel Regulations to enhance the skills of staff providing services to victims. Unless particular training events are specified in an approved grant budget, all training events and expenses must have prior written approval from DJCS. **Be aware that ALL VAWA funded staff (if funding Law Enforcement Overtime, then at a minimum one law enforcement officer from each funded agency must attend an eight hour training within the grant period) are required to attend a minimum of 8 hours pre-approved DJCS training per grant cycle.**

- ∞ **Space:** A pro-rated portion of office space rental and telephone expenses can be requested in this category for direct service staff of the proposed project. Basic utility expenses are not allowable. All items must be clearly identified and itemized.
- ∞ **Other:** Expenses incurred in providing services to victims, such as printing brochures outlining services available, postage expenses for mailing information to victims, counseling materials, etc. are allowable expenses as long as they are directly related to the proposed projects. All items listed under this category must be clearly identified and itemized. For instance, an itemization for counseling materials to be used would be outlined as cost per client (35 participants X \$10 per workbook = \$350)

Please refer to Appendix I for additional information on allowable and unallowable expenses under the grant program.

Programs are allowed to request Indirect Costs but they must follow the OMB Uniform Guidelines and must list as Indirect Costs. Be advised asking for Indirect Costs may not increase your overall budget if awarded and you may be required to revise your budget to account for these costs and they must be allowable and require the same documentation to be reimbursed.

Please refer to OMB Uniform Guidelines on Indirect Costs allowances at [https://search.whitehouse.gov/search?affiliate=wh&form\\_id=usasearch\\_box&query=Indirect+Costs](https://search.whitehouse.gov/search?affiliate=wh&form_id=usasearch_box&query=Indirect+Costs)

Note – be sure to indicate not only the requested STOP VAWA funds, but any matching funds supporting the proposed budget line items. Total figures should match the totals on Budget Summary page (Page 2).

#### **Budget Justification – Page 4**

Provide a further breakdown of all costs listed in the Budget Detail worksheet. This should not only provide a breakdown of costs, but also **why the expense is needed to carry out the proposal.** If requesting **Sexual Assault Set Aside**



Funds in Victim Services, Prosecution or Law Enforcement, be sure to specify as Sexual Assault Set Aside Funds. For line items listed, sufficient breakdown would include:

- ☞ **Personnel / Contractual:** If requesting **Sexual Assault Set Aside** Funds in Victim Services, Prosecution or Law Enforcement, be sure to specify as Sexual Assault Set Aside Funds and explain in detail concerning what these funds will be used for. List **each** position(s) as contractual (no benefits) or personnel with the **salary** (percentage of salary and total salary, for example 80% of \$30,000); the benefits should be spelled out in detail. To show personnel with benefits – reflect the gross wages (salary) plus any benefits, such as FICA, Worker's Compensation, Retirement, etc. Be aware all requested benefits require back-up documentation showing rates, so you should request what your agency rate is. (For example if the worker's compensation rate is determined to be 1.6% then this is what should be requested.) Be sure to indicate whether the position is full-time or part-time and provides a breakdown of the percent used for all benefits. Retirement is not to exceed 14%.

**For hourly employees** – indicate the hourly rate, whether part time or full time; the number of hours **per** month. Also, list in detail all benefits being requested for each hourly employee.

**Note:** *Full-time hourly employees should have rate per hour x up to 184 hours per month and part-time hourly employees should have hourly rate x up to 92 hours per month.*

- ☞ **Travel / Training:** Describe all trainings identified on the budget page. For each item show the calculation. Specifically, for mileage expenses document approximate number of miles and the mileage rate used. Reflect the applicant's mileage rate unless this rate exceeds the state per diem rate, in which case you will use the state per diem rate. If a courtesy vehicle is used (e.g. – police cruiser, state vehicle, etc.) the rate is 20 cents per mile. Training expenses should reflect workshop or conference registration fees, lodging, and meal allowance. Meal allowances are limited to the Federal Per Diem rates and in accordance with West Virginia State Travel Regulations.

If requesting training funds provide a breakdown of all costs, for example speaker fees, room rental, equipment costs etc. You must follow all OJB Conference Guidelines; for reference go to:

<http://ojp.gov/financialguide/DOJ/>

If requesting funds for **Sexual Assault Set Aside Funds**, specify in detail what these funds will be used for.

- ☞ **Space:** Provide a detailed description of the pro-rated office space and/or telephone expenses. Indicate where the space is located and for what purpose the space/telephone is used.
- ☞ **Other:** All items listed under this category need to be clearly itemized. For instance, an itemization for workbook materials to be used would be



outlined as cost per participant (35 participants x \$10 per workbooks = \$350.00). Office supplies are considered to be basic supplies, such as paper, ink pens, envelopes, etc. This should be clear and concise when requesting office supplies. Computers, printers, etc. are not considered basic office supplies, but should be requested separate from office supplies. Also be aware DJCS does not allow for purchase of Tablets.

Programs are allowed to request Indirect Costs but they must follow the OMB Uniform Guidelines and must list as Indirect Costs. Be advised asking for Indirect Costs may not increase your overall budget if awarded and you may be required to revise your budget to account for these costs and they must be allowable and require the same documentation to be reimbursed.

Please refer to OMB Uniform Guidelines on Indirect Costs allowances at [https://search.whitehouse.gov/search?affiliate=wh&form\\_id=usasearch\\_box&query=Indirect+Costs](https://search.whitehouse.gov/search?affiliate=wh&form_id=usasearch_box&query=Indirect+Costs)

NOTE: Please also provide a detailed description for all matching funds in this section. Indicate the source, the amount, and the purpose of the matching contribution. Please refer to Appendix I for match requirements.

If this information is not in detail and broken down as instructed then DJCS staff will require revisions prior to forwarding the application the West Virginians Against Violence Committee.

### **Project Narrative – Page 5**

Provide a detailed description of how the applicant will use STOP VAWA grant funds, including plans for the continuation of the STOP VAWA program if future funding is not made available.

Complete the Project Narrative following the format as outlined below and attach additional pages as needed. **Additional pages should be labeled 5a, 5b, 5c etc. Ensure that all sections are clearly labeled.** For example, in the narrative when talking about the problem statement, the section should begin with a section heading in bold **Problem Statement**; the next section should be **Program Description and/or Solution to the Problem**, etc.

**A. Problem Statement:** Problem statements describe and document the extent and nature of the problem of which the grant funds should help to solve in your target area. The problem and/or need should be clearly identified and substantiated by research and statistics specific to the targeted service delivery area and population. If requesting **Sexual Assault Set Aside funds**, you need to be very specific in identifying the problem with service area specific data. Components of the Problem Statement should include:

➔ Size, location, population most affected, causes:



- The target population to be served should be clearly identified and described.
- **The specific needs of the target population must be outlined.**

➔ Supported by evidence/data:

- Demonstrate why the problem matters; trend or comparative data analysis.
- **Supporting current data (preferable base-line data as well as written demonstration) is provided to justify why programming of this type is needed. This information may come from US Census and/or crime reports, etc.**
- Any unique characteristics, barriers, or challenges of the applicant's locality should also be described as it relates to the identified problem.

➔ Describe past efforts; successes and shortcomings:

- Existing projects **must** show a continued need – a copy of last year's problem statement will not be accepted.

➔ Points to appropriate services:

- There should be a clear link between program and problem
- The response is grounded in evidence-based practices

***Note: Goals and Objectives should address the problem(s) identified in the Problem Statement.***

**B. Program Description and/or Solution to the Problem:** At a minimum, the following should be addressed and should include information from **all** core team members:

- Describe the proposed project and how it will address the needs identified in the statement of need.
- **Describe the program's overall goal(s) and the anticipated impact on the targeted population.**
- Describe the activities to be implemented in the program – when discussing these activities, be sure to include an implementation schedule.
- Discuss the program's management and supervision – indicate the role of the project director, the supervision of STOP VAWA-funded staff, the governing board, the STOP team, and if volunteers will be used to implement the program.
- Existing projects **must** show past impact of their project on the targeted population – a copy of last year's program description is not acceptable.



NOTE: Specific goals, objectives, activities, outcome, outcome tools, and implementation time line will be required for Page 6 of the application. The Project Narrative section requires only an overview of these components. Please be sure to be specific in the Goals and Objectives section on Page 6.

**C. Underserved Populations:** A description of the identified underserved population(s) to be served under this grant application and a detailed plan for outreach to the population(s) with and an explanation of how the populations will benefit from the service must be included. Underserved Populations should be expanded to more than victims of domestic violence, sexual assault, dating violence, and stalking crimes. For example, LGBT, Disabled victims, or People of Color are examples of underserved populations who are victims of domestic violence, sexual assault, dating violence, and stalking crimes.

- This section should be as detailed as possible and should include supporting statistical information for the service area requesting funding.
- Ensure you are identifying who your underserved population is.

**D. Limited Language Proficiency Plan:** Describe in detail how the project will address the needs, including access to programs, services, and information of populations of individuals whose primary language is not English. Also, describe any Memorandum of Understandings or working agreements with other agencies to provide service. A plan may also be included on how the project will address the needs of the blind, deaf and hard of hearing, and those victims who cannot read. It may also address cultural competency (*see definition in Appendix I*).

**E. Collaboration:** Describe the degree of interagency linkage and community ties with the project – referral agreements and working agreements with key agencies.

- Provide background information on the existing STOP Team or Statewide project including: agencies involved, number of years of participation, and types of services each agency provides to the project.
- Describe the networking system and collaboration initiatives to be used with other agencies.

**F. Plan of Sustainability:** A detailed description of how the project will be sustained in the event that STOP VAWA funds were to be relinquished. This should be an actual plan; stating the program will not exist is not a plan.



- This plan must illustrate the willingness and capacity to continue the project after grant funds are no longer available.
- The plan should also describe any working relationships that would be maintained as a result of the grant funding.
- If there are grants or local funds you are researching for this plan you must list the grants.

**G. Sexual Assault Set Aside:** If a program/agency is requesting the Sexual Assault Set-aside funds the following must be addressed in detail and there should be specific goals and objectives:

- How the program will “meaningfully address sexual violence. How the funds will be utilized to both provide quality and responsive services to victims of sexual assault and build the state’s capacity to do so and if they are working currently with West Virginia’s Sexual Assault Coalition.
  - A program needs to provide their agency mission statement or that a part of it shows they provide services to sexual assault victims;
  - There is specific initial training on sexual violence for staff (with documents showing training); on-going training on sexual violence for staff (with demonstrated method for documenting training);
  - Inclusion of sexual violence services in the agencies publications/media materials
  - Sexual Assault Services must be provided outside the context of domestic violence.
- Must meet one of the priority areas addressed in the 2014 WV STOP Implementation Plan:

**STOP Teams:**

- Increase in advocates providing services
- Dedicated Sexual Assault Law Enforcement Officers and/or Law Enforcement Overtime
- Strong Community Networking
- Direct Service related travel

**State Agencies:**

- Training specific to sexual assault and awareness of services
- Training for Judges and Court Personnel on Sexual Assault

**See Attached Excerpt from the 2014-2016 WV STOP VAWA Implementation Plan and Sexual Assault Law Enforcement Minimum Requirements for more details.**



**H. Cultural Specific Set-Aside:** If a program/agency is requesting the Cultural Specific Set-aside funds the following must be addressed in detail and there should be specific goals and objectives:

- An organization is eligible to receive the culturally-specific set aside if the organization is a nonprofit, nongovernmental organization that serves a specific ethnic or racial community that:

(A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking to an identified ethnic or racial community

(B) Has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;

(C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; **or**

(D) Obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration;

**And:**

(E) Is primarily directed toward racial and ethnic minority groups;  
**and**

(F) Is providing services tailored to the unique needs of that population

**See Attached Excerpt from the 2014-2016 WV STOP VAWA Implementation Plan for more details.**

**I. Victims' Rights Notification Plan and Victim Centered Approach:**

explain how **all** funded agencies will practice a victim centered approach and inform and ensure victims of their rights (as best as you have control over; for example you cannot ensure speedy proceedings). This needs to be in a paragraph explaining how each funded agency requesting funds accomplishes this and has a "victim centered" approach. Victims' rights are as follows:

- Right to be treated with dignity and respect
- Right to notification
- Right to be present
- Right to be heard
- Right to reasonable protection from intimidation and harm
- Right to restitution



- Right to information and referral
- Right to apply for compensation
- Right to speedy proceedings

While a state program may not work directly with victims a Statewide Programs/State Agencies should explain how their project will practice a victim centered approach in training, and other areas of their grant.

- J. Training Requirement Plan: Be aware that ALL VAWA funded staff are required to attend a minimum of 8 hours pre-approved DJCS training per grant cycle.** Describe the agency's plan to ensure that all VAWA funded staff meet their 8 hour minimum training requirement during the grant cycle. Current grantees are to be aware that failure to meet the Travel/Training requirement will be a consideration for funding during the application process.

### **Grant Goal(s) & Objective(s) – Page 6**

Overall grant goal(s) and objective(s) will be described in the program description and/or program evaluation, but all grant goal(s) and objective(s) need to be documented in this section. There should be at least one goal and one objective for each discipline requesting funding. Goals and Objectives should address all four crimes (domestic violence, sexual assault, stalking and dating violence) if applicable. There should be at least one Goal and Objective which addresses outreach/services for identified underserved population(s). **If a STOP Team application is requesting funds for an advocate, a prosecutor, and law enforcement, then there should be at least one goal and objective for each of these entities. All STOP Teams are required to have at least one goal and objective which addresses the team approach improving the system's response to VAWA crimes.** If all goals and objectives are for the entire STOP Team then there must be activities for each funded agency. Please refer to Appendix H for additional forms. **Additional pages should be labeled 6c, 6d, etc.**

- ☞ State your goal(s) and provide clear, precise, and measurable objectives. Objectives should identify what and how much is anticipated to be accomplished, who will be responsible for making it happen, and when it is anticipated to be completed.
- ☞ Outcome measures and activities are required for each objective. Identify the data elements or what tool will be used to measure or determine the program's outcomes or success of accomplishing the objective.
- ☞ Describe the implementation strategy for each objective. Strategies need to be brief and to the point. Identify the data elements to be used to measure the program's progress.

***Note: Refer to the Promising Practices Document for more information.***

A general description for the terminology used on this form is listed below:



Goal -	Broad statement about what the program intends to accomplish. This statement should state the long-term desired impact of the program, set scope or foundation, state long-range target or purpose, identify target population, and state the condition to be changed. <b>You may choose to only have one goal with several objectives and activities to meet that goal for each of the disciplines requesting funding.</b>
Objective -	A specific statement of the desired short-term, immediate outcome of the program which will show accomplishment of the goal. Each objective must be <b>S.M.A.R.T.</b> (Specific, Measurable, Attainable, Results oriented and Time bound).
Outcome -	Outcomes measure whether objectives have been met. Outcomes are almost always <u>measures of change</u> .
Outcome Tool	The data or tool used to measure achievement of the objective. Describe how data will be collected and analyzed and who the results will be shared with.
Output Measures	Are indicators that activities have taken place as planned? For example: “number of counseling sessions held, number of victims served” are <u>output measures</u> .
Activities -	What will be done and who will accomplish it. <b>You must have at least one (1) activity per objective.</b>
Timeline -	When will the activity begin and end. <b>You must have a timeline for each activity. This should not say “ongoing”; it should be specific to the grant period.</b>

### **STOP Team / Advisory Committee Members – Page 7**

List the name, title, agency affiliation, address, telephone number, email address, and years of participation of each STOP team member. Statewide projects should use their STOP VAWA related advisory committee. STOP Team members must sign an MOU which reflect their understanding of the project, received by each team member, must be submitted with Appendix E of the grant application.

The West Virginians Against Violence Advisory Committee requires that in order to receive STOP VAWA grant funds the grantee must form an interagency planning and evaluation team according to the following criteria. Each member should be made aware of these requirements.

- ☞ Membership of the STOP Team **must** include a non-governmental non-profit victim service provider, law enforcement officer, and prosecuting attorney, regardless of whether those positions are STOP funded. These three entities are known as the “core” members.

In the event that your county has both a WV Family Protection Services Board (WVFPSB) licensed domestic violence program and a WV



Foundation for Rape Information & Services (WVFRIS) member sexual assault program, then a representative from each program must be a part of your Team and will be considered core members.

In the event that **more** than one law enforcement agency receives funding, then a representative from **each** of those departments must be represented on the Team and is also considered a core member. The same requirement is true for victim service agencies or any other agency/organization receiving STOP funds.

If a STOP Project includes a cultural specific organization component, then a representative from the funded organization must also be included and is also designated as a core member.

- ☞ The Team must meet on **at least** a quarterly basis (within the grant period which begins July 1<sup>st</sup> and ends June 30<sup>th</sup>) and copies of the agenda, sign-in sheet, and meeting minutes must be documented and submitted to DJCS with appropriate monthly progress reports.
- ☞ **All** core members must have **active** participation and **regular attendance** at Team meetings. A high level of **commitment** from all core members to work collaboratively must be demonstrated. If a core member cannot attend they may have another person attend in their place. For example, if a Prosecutor cannot attend another prosecutor or assistant prosecutor should attend in their place. (Prosecutor's key personnel, investigators, or advocates cannot attend in the prosecutor's place)
- ☞ Maintain a Team protocol for Law Enforcement, Prosecution and Victim Services response to domestic violence, sexual assault, stalking and dating violence crimes. Regular reviews and necessary revisions should be an on-going process. *Note: All Protocols must include each core member's response to the new Firearms Law of Firearm removal and storage; and a response to law enforcement officers who are perpetrators of domestic violence, sexual assault, and stalking and dating violence crimes.*
- ☞ The application (which includes Goals and Objectives), Team protocol, and required reports must have input from **all** core members. These three topics should be recurring topics at STOP Team meetings.

All components of the application apply to the entire Team, whether all entities are STOP funded or not.

All required paperwork must be completed in a timely and thorough manner and follows the Standard, Special and Supplemental Condition requirements.



- ☞ Application, protocol, membership, and meeting topics must address all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking).
- ☞ A Team evaluation or feedback process must be implemented and maintained throughout the grant period to assist in measuring the Team's effectiveness and to identify need and gaps in service. This should also be a continuing topic at Team meetings.
- ☞ Team must keep current on all local, state, and federal laws and policies related to violence against women crimes. (For example, the changes in the 2007 legislative session regarding forensic medical exams and polygraph prohibition for sexual assault victims and the changes in the 2008 legislative session regarding stalking.)
- ☞ Must develop and implement policies/practices regarding victim confidentiality and information sharing that meets the VAWA requirements.

Teams are strongly encouraged to comply with the following recommendations:

- a. Other community and criminal justice organizations are encouraged to be part of the STOP Team, such as local community corrections programs, probation office, faith-based programs, local hospital/medical personnel, mental health programs, school Prevention Resource Officers (PRO), legal aid programs, human services agency/organization, and the humane society/officer.

Membership on the STOP Team should broadly be representative of the community served (geographic, ethnic, race, gender).

- b. In circumstances where there is a victim advocate in a law enforcement agency or a prosecutor's office. Then both the advocate and a law enforcement officer or the advocate and a prosecuting attorney should be a member of the STOP Team. **However, as indicated above, an officer and a prosecutor are required.**
- c. Include community agencies and individuals (both those that are part of the STOP Team and those who are not) in the evaluation of the Team and Team process. Examples: Judges, victims served, law enforcement officers, probation officers, victim advocates, prosecutors, health professionals, etc.
- d. Conduct training events throughout the year. This can be done with 20-30 minute workshop/sessions at each STOP Team meeting.



- e. Focus training, education, awareness, and services on community collaboration and include more cross-training events.
- f. Evolve new leadership on the STOP Team. Leadership/officers should be re-evaluated and reconsidered each year.
- g. Constantly review and evaluate membership and add/change members as needed. Team members should be willing and active participants.

### **Organizational Charts – Page 8**

Provide organizational charts for the each agency requesting funding. The proposed project staff should also be included. **All staff member names, position titles, salaries, and salary funding sources** should be included in the organizational charts.

### **Hiring, Firing and Grievance Procedures and Job Descriptions and Resumes – Page 9**

Provide a description of the agency's procedure(s) for hiring, firing and grievance procedures for employees who will be or are funded under the STOP VAWA grant. Include with this a job description, resume and certification and qualifications (this includes certificates and licenses for counselors and therapist, etc.) for the position(s) proposed. (See attached minimum requirements for Sexual Assault Investigator and Sexual Assault Law Enforcement Overtime)

### **Membership List of Governing Board – Attachment A**

List the name, address and telephone number for each member of the governing board for each agency requesting funding from this grant. Examples of governing boards include county commission, city councils, and board of directors for non-profit organizations.

### **STOP Team Protocol Certification – Attachment B (Team Applicants ONLY)**

The STOP Team Protocol Certification outlines the minimum requirements of all STOP funded team projects. By signing this document, the authorized official acknowledges they have read, understand and will adhere to these requirements in order to receive and/or sustain grant funding. Application is not complete without the authorized official's **original** signature on this form.

### **Victim Service Consultation – Attachment C (Statewide Law Enforcement, Prosecution, and Court Agency Applicants ONLY)**

Please provide information identifying the local and/or statewide victim service agencies your project consulted during the **development** of the current application. This development **requires a meeting prior** to submission of application. A description of the consultation and coordination effort with those agencies and sign-in sheet must also be provided.



### **System for Award Management (SAM) – Appendix C**

Applicants will be required to be registered with the System for Award Management (SAM), the website address is: [www.sam.gov](http://www.sam.gov). Provide documentation showing the registration date and expiration date.

### **Standard and Special Conditions and Assurance – Appendix D**

Sub-grants funded under the STOP VAWA grant program agree to comply with all standard and special conditions and assurances listed. By certifying and signing the application on page one and on Appendix D, the authorized official and sub-grantee is indicating they have read, understand, and will comply with all special conditions and assurances listed in this section. **They also are indicating they have informed all agencies requesting funding of the requirements of the grant.**

### **Memorandum of Understanding (STOP Teams Only) – Appendix E**

*An MOU that clearly identifies and outlines each agency's responsibility to the STOP project and is signed by individuals with authority to enter into agreements for each agency is required.* The following is the minimum requirement to be included in the MOU:

- I. Commitment that **all members have an understanding of the project and requirements and are willing to assist in meeting the expectations of the grant requirements.**
  - ☞ All core members must have **active** participation and **regular attendance** at Team meetings. A high level of commitment from all core members to work collaboratively must be demonstrated.
  - ☞ Maintain a Team protocol for responding to domestic violence, sexual assault, stalking and dating violence crimes. Regular reviews and necessary revisions should be an on-going process. *Note: Protocols must include the firearms information.*
  - ☞ Team members will be expected to address violence against women issues within their own organizational services and employment practices. All funded programs will practice a Victim Centered Approach.
  - ☞ The application, Team protocol, and required reports must have input from **all** core members. These three topics should be recurring topics at Team meetings.

All components of the application apply to the entire Team, whether all entities are STOP funded or not.



All required paperwork must be completed in a timely and thorough manner and follow all Standard, Special and Supplemental Condition requirements.

- ☞ Application, protocol, membership, and meeting topics must address all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking).
- ☞ Community Awareness of services available and where victims can receive services must be conducted as a Team.
- ☞ All funded agencies have reviewed and understand all Standard and Special Conditions of the grant.

II. MOU must include the Project Director's and the Fiscal Officer's role:

**Project Director's role:**

- ☞ Be the main contact for DJCS staff
- ☞ Ensure all information is forwarded to all funded staff/agencies; this includes but is not limited to:
  - Budgets
  - Special and standard conditions of the grant
  - Memos
  - Surveys
  - Changes in grant requirements
  - Forms; ensure they receive all updated forms
  - Training available
  - Civil Rights Compliance
- ☞ Ensure all reports are submitted on time to DJCS
- ☞ Inform DJCS of changes in staff and Authorized Officials, Fiscal Officers, etc.
- ☞ Request project changes and prior approval of attendance of training/travel not specified in budget.
- ☞ The Project Director is the contact person for members of the West Virginians Against Violence Committee
- ☞ Submit copies of audits to DJCS and contact DJCS if debarred

**Fiscal Officer's Role**

- ☞ The contact person for financial questions
- ☞ Review the approved budget for each grant
- ☞ Be aware of Special and Standard Conditions of the grant
- ☞ Review all monthly financial reports and ensure all required documentation is included
- ☞ Submit copies of audits to DJCS and contact DJCS if debarred



Also it is required the Project Director, Fiscal Officer and all funded agency directors meet on a quarterly basis to discuss changes, issues with the grant, and problems with payments. This needs to be included in the MOU and should be separate from STOP Team Meetings.

III. All MOU's must include the following information:

- ☞ All changes to the Project Financial Reports should be forwarded to all funded agencies. The MOU should state who will be responsible for this and by what date it will be done. DJCS sends changes to the person who completed the Budget Summary; it is the responsibility of the pass-through agency to forward those changes.
- ☞ The date when reports are due to the pass-through sub-grantee from all funded agencies in order to submit paperwork to DJCS in a timely fashion. All funded agencies must be aware it is a requirement to submit all required paperwork to DJCS each month by the 20<sup>th</sup> of each month. Your pass-through must have an earlier due date so documents are submitted on time to DJCS.
- ☞ After receiving reimbursement from DJCS/Auditor's office the pass-through sub-grantee will have 30 days to reimburse the other funded agencies.
- ☞ All agencies must submit an annual report and it must be submitted by the deadline sent by DJCS.
- ☞ Explain the history of each agency and how they have worked together
- ☞ Include a Mission Statement for each agency
- ☞ Include a referral plan and how each agency documents
- ☞ Explain how they will work together to improve services and improve the criminal justice system's response to VAWA victims

**Support Letters– Appendix F**

**State Programs/Agencies:** The STOP Violence Against Women Program Guidelines strongly recommends an advisory committee made up of at least a non-profit, non-governmental victim services, prosecution and law enforcement members. Please attach support letters from advisory board members.

Also include on letterhead from your agency a letter which addresses the following:



- Demonstrate the need for the grant funds for the particular constituency, intended use of grant funds, expected results from the use of the grant funds, and demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity, and language background

**New Applicants/New Programs:** Are required to provide support letters from law enforcement, victim services, prosecution and courts in their service area. This includes if a new agency is added to an already existing STOP Team. Also include on letterhead from your agency which addresses the following:

- Demonstrate the need for the grant funds for the particular constituency, intended use of grant funds, expected results from the use of the grant funds, and demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity, and language background

#### **Proof of Non-Profit Status – Appendix G (New Applicants ONLY)**

Please provide a copy of your non-profit agency: (1) Articles of Incorporation approved by the WV Secretary of State's Office; (2) Certificate of Incorporation issued by the WV Secretary of State's Office; and (3) the IRS Determination Letter regarding your 501 (c) (3) status.

#### **STOP Team Application Development Documentation – Appendix H (STOP Teams Only)**

Provide documentation which shows the STOP Team met as a team to develop the application. Documentation must include a sign-in sheet which lists STOP Team Members, date and agency; and agenda and meeting minutes.

### **Section VI**

#### **Appendices**

- Appendix A – STOP VAWA Application Checklist
- Appendix B – STOP VAWA Application Forms
- Appendix C –SAM Registration Documentation
- Appendix D – Standard and Special Conditions and Assurances
- Appendix E – STOP Team MOU
- Appendix F –Support Letters
- Appendix G - Proof of Non-Profit Status (New Applicants Only)
- Appendix H – STOP Team Application Development Documentation
- Appendix I - STOP VAWA Program Guidelines
- Appendix J - Supplementary Goals and Objective

NOTE: The application instructions and the program guidelines are for subgrantee guidance only and are not to be submitted with the application.



# **Appendix A**

## **Application Checklist**

### **WV STOP Violence Against Women Grant Program**





## STOP VAWA Application Checklist

**Applicant:** \_\_\_\_\_

**Amount**

**Requested:** \_\_\_\_\_

☐

### **General Administrative Information – Page 1**

- ☐ Applicant Information Complete
- ☐ Type of Agency is Marked
- ☐ Project Director Information Complete
- ☐ Fiscal Officer Information Complete
- ☐ Amount Requested is Complete
- ☐ Percent Breakdown by Crime Category is Complete
- ☐ Number of Years Previously Funded is Provided
- ☐ Estimated Number of Victims to be Served is Provided
- ☐ Geographic Area to be Served is Provided
- ☐ List of Participating Agencies is Provided
- ☐ Project Title is Provided
- ☐ Project Description is Provided
- ☐ Authorized Official Information is Complete – **with ORIGINAL Signature**

☐

### **Budget Information – Pages 2 - 4**

- ☐ Budget Summary (Complete with Applicant Name, FEIN & DUNS Numbers)
- ☐ Funding Strategy Complete - List of all Federal, State and Local funds
- ☐ Budget Detail Provided (for all applicable agencies & categories)
- ☐ Budget Justification Provided (Detailed w/ match included & labeled)
- ☐ If requesting Sexual Assault Set Aside Funds have explained in detail on Pages 3 and 4 what these funds will be used to fund and have met all requirements.

☐

### **Project Narrative – Page 5**

Narrative addresses all minimum information contained within the grant application instructions section – including, but not limited to (each section should be titled and in this order):

- ☞ Problem Statement/Statement of Need – Problem clearly identified
  - Target population identified and described and needs outlined
  - Supporting data is provided
- ☞ Program Description and/or Solution to the Problem
- ☞ Underserved Populations Component
  - Identified underserved Population
  - Provided supporting statistical information for the service area requesting funding
  - Identified how they will provide outreach to identified underserved Population
- ☞ Limited Language Proficiency Plan



- ☞ Collaboration
  - ☞ Plan of Sustainability
  - ☞ Sexual Assault Set Aside (if applicable) – Addressed the following:
    - How the program will “meaningfully address sexual violence. How the funds will be utilized to both provide quality and responsive services to victims of sexual assault and build the state’s capacity to do so and if they are working currently with West Virginia’s Sexual Assault Coalition.
      - A program needs to provide their agency mission statement or that a part of it shows they provide services to sexual assault victims;
      - There is specific initial training on sexual violence for staff (with documents showing training); on-going training on sexual violence for staff (with demonstrated method for documenting training);
      - Inclusion of sexual violence services in the agencies publications/media materials
      - Sexual Assault Services must be provided outside the context of domestic violence.
  - ☞ Cultural Specific Funds (if applicable): Addressed the following:
    - An organization is eligible to receive the culturally-specific set aside if the organization is a nonprofit, nongovernmental organization that serves a specific ethnic or racial community that:
      - (A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking to an identified ethnic or racial community
      - (B) Has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
      - (C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; **or**
      - (D) Obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration;
- And:**
- (E) Is primarily directed toward racial and ethnic minority groups; **and**
  - (F) Is providing services tailored to the unique needs of that population



- ☞ Victim Rights Notification Plan and Victim Centered Approach – explain how all funded agencies inform and ensure victims of their rights and practice a victim centered approach.
- ☞ Training Requirements Plan – Have described how they will meet the training requirement for funded staff.

☐ **Goals and Objectives – Page 6**

- At least one goal and one objective are required for each discipline requesting funding
- At least one goal and objective for the whole team. (STOP TEAMS only)  
**If you have goals and objectives for the entire team only then you need to include activities for each funded agency**
- At least one objective addresses the outreach for the identified underserved population(s).
- If requesting Sexual Assault Set Aside Funds must have at least one goal and objective which addresses what will be done.
- An activity, an outcome, and an implementation schedule are required for each objective.

☐ **STOP Team/Advisory Committee Members – Page 7**

- ☐ List of Members Provided (including all required core members)

☐ **Organizational Charts – Page 8**

Included both an organizational chart for each agency requesting funding. The chart also includes **(this is required information)**:

- ☞ Staff members
- ☞ Titles
- ☞ Salaries
- ☞ Source of salaries

☐ **Hiring, Firing, and Grievance Procedures and Job Descriptions and Resumes– Page 9**

Hiring, Firing, and Grievance procedures, job descriptions, certificates, licenses and applicable resumes are provided for each agency and/or each staff requesting personnel funding.

- ☞ If requesting Sexual Assault Set Aside Funds the job description(s) must meet the requirements set forth in the Implementation Plan and by the West Virginians Against Violence Committee. (See enclosed Minimum Requirements for Sexual Assault Investigator and Sexual Assault Law Enforcement Overtime

☐ **Attachments A through C**

- ☐ List of Governing Board Members for Each Agency Requesting Funds
- ☐ **STOP Team Protocol Certification** with Original Signature of AO  
**(Team Applications Only)**
- ☐ Victim Service Consultation Description **(State Agency Programs Only)**





## **Appendix C-H**

- ☐ **Appendix C**—System for Award Management Registration Form
- ☐ **Appendix D** – Standard and Special Conditions and Assurances  
**ORIGINAL signature of the Authorized Official is provided.**
- ☐ **Appendix E** –Memorandum of Understanding (MOU) signed by all STOP Team Agencies/Members **(STOP Teams Only)**
- ☐ **Appendix F** –Support Letters **(State Agencies and New Applicants/Programs Only)**
- ☐ **Appendix G** - Proof of Non-Profit Status **(New Applicants Only):**
  - ☞ Articles of Incorporation with proof of approval by WVSOS Office
  - ☞ Certificate of Incorporation issued by the WVSOS Office
  - ☞ IRS Determination Letter
- ☐ **Appendix H** – STOP Team Application Development Documentation – Sign in sheet and documentation showing the STOP Team met in-person to develop their application



# **Appendix B**

## **FFY 2016 STOP VAWA Grant**



## **Application Forms**



**STOP Violence Against Women Grant  
Program Application**

**General Administrative Information  
Page 1**

<u>Applicant Agency:</u> Address:   Phone: Fax Number:	<u>Type of Agency</u> <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> Municipal <input type="checkbox"/> Non-Profit
---	---

<u>Project Director:</u> Address:   Phone: Fax: Email:	<u>Fiscal Officer:</u> Address:   Phone: Fax: Email:
--	--

Amount Requested: \_\_\_\_\_ Amount Awarded: \_\_\_\_\_

Project Period: **July 1, 2017 – June 30, 2018**

Percent Breakdown by Crime  
Category:

Domestic Violence  
Sexual Assault  
Stalking  
Dating Violence

Number of years previously  
funded: \_\_\_\_\_

Estimated number of victims to  
be served by grant: \_\_\_\_\_

Geographic Area Served:

County(ies):

Population:

Rural/Urban:

List Participating Agencies:

Project Title: \_\_\_\_\_

Project Description:

*Certification: To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.*

Authorized Official:	Title:
Address:	Phone: Fax: E-Mail:
Signature:	Date:



**STOP Violence Against Women Grant  
Program Application****Budget Summary  
Page 2**

Applicant:

FEIN Number:

DUNS Number:

Category	STOP VAWA Requested Funds	Matching Funds	Total Budget
Personnel / Contractual			
Travel / Training			
Space			
Other			
Totals			

**Funding Strategy**

Funding Source(s)	Amount	Status
Total		

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan or donation

A – Application submitted and under review

C – Funds Committed

R – Funds received, appropriated or on hand



**VICTIM SERVICE PROVIDER BUDGET PAGE**

Detailed Project Cost by Budget Category	Requested STOP Funds		Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
<u>Travel / Training</u>			
<u>Space:</u>			
<u>Other</u>			
Total Requested STOP VAWA Funds			
Total of Recommendation (DJCS Only)			



**CULTURAL SPECIFIC ORGANIZATION BUDGET PAGE**

Detailed Project Cost by Budget Category	Requested STOP Funds		Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
<u>Travel / Training</u>			
<u>Space:</u>			
<u>Other</u>			
Total Requested STOP VAWA Funds			
Total of Recommendation (DJCS Only)			



**STOP Violence Against Women Grant  
Program Application**

**Budget Detail by Category  
Page 3b**

**PROSECUTION BUDGET PAGE**

Detailed Project Cost by Budget Category	Requested STOP Funds	Matching Funds	Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
<u>Travel / Training</u>			
<u>Space:</u>			
<u>Other</u>			
Total Requested STOP VAWA Funds			
Total Matching Funds			
Total of Recommendation (DJCS Only)			



<b>STOP Violence Against Women Grant Program Application</b>	<b>Budget Detail by Category Page 3c</b>
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<b>STOP Violence Against Women Grant Program Application</b>	<b>Budget Detail by Category Page 3c</b>
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**LAW ENFORCEMENT BUDGET PAGE**

Detailed Project Cost by Budget Category	Requested STOP Funds	Matching Funds	Recommendation
<u>Personnel / Contractual</u>      <u>Travel / Training</u>      <u>Space:</u>      <u>Other</u>			DJCS Use Only
Total Requested STOP VAWA Funds			
Total Matching Funds			
Total of Recommendation (DJCS Only)			



**STOP Violence Against Women Grant  
Program Application**

**Budget Detail by Category  
Page 3d**

**DISCRETIONARY BUDGET PAGE**

Detailed Project Cost by Budget Category	Requested STOP Funds	Matching Funds	Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
<u>Travel / Training</u>			
<u>Space:</u>			
<u>Other</u>			
Total Requested STOP VAWA Funds			
Total Matching Funds			
Total of Recommendation (DJCS Only)			



**STOP Violence Against Women Grant  
Program Application**

**Budget Detail by Category  
Page 3e**

**COURT BUDGET PAGE**

Detailed Project Cost by Budget Category	Requested STOP Funds	Matching Funds	Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
<u>Travel / Training</u>			
<u>Space:</u>			
<u>Other</u>			
Total Requested STOP VAWA Funds			
Total Matching Funds			
Total of Recommendation (DJCS Only)			



Please provide specific information that presents and explains each proposed expense for the project. State clearly and in concise detail the breakdown and justification of need for each item requested for funding in the Budget Detail pages. Additionally, provide an identified breakdown of matching funds. **Be sure to label the matching funds breakdown as such.** Attach additional pages if necessary. If salary, list salary and the percentage of salary being requested. If hourly, ensure it is broke down by how much per hour and how many hours **per month**. (For example for a full-time person you would request \$12.89 per hour x up to 184 per month; if part-time request \$12.89 per hour x up to 92 hours per month) Also, make sure all benefits are specific by percentages (benefits will be backed up with documentation) for **each** funded staff, and **each** funded agency. If requesting **Sexual Assault Set Aside Funds**, you must identify these as Sexual Assault Set Aside Fund or Funded Staff, must explain in detail how they meet requirements and how funds will be utilized to meaningfully address Sexual Assault. **If you are a State Project requesting training ensure you have broken down each cost, for example, speaker fees, conference room, AV costs, etc. Be aware you must follow OJP Conference Costs requirements.**



Please provide information that presents and explains the STOP VAWA proposed project. State clearly and in concise detail the purpose and direction of the STOP VAWA project, including identifying the specific problem, background on project, evaluation of local needs, description of underserved populations (including plan for outreach and services and a limited language proficiency plan), and plan of sustainability of project. **(Refer to the instruction manual for details required)** If requesting **Sexual Assault Set Aside Funds**, you must identify sexual assault as part of the problem statement and explain in detail how these funds will be used to meaningfully address the problem.

Attach additional pages if necessary. **All sections need the below Titles and in this order.**

**A. Problem Statement:**

**B. Program Description and Solution to the Problem Addressed:**

**C. Underserved Population and Outreach Plan:**

**D. Limited English Proficiency Plan:**

**E. Collaboration:**

**F. Plan of Sustainability:**

**G. Sexual Assault Set-Aside (if applicable):**

**H. Cultural Specific Set-Aside (if applicable):**

**I. Victim's Rights Notification Plan and Victim Centered Approach:**

**J. Training Requirement Plan:**



- Goal - Broad statement about what the program intends to accomplish. This statement should state the long-term desired impact of the program, set scope or foundation, state long-range target or purpose, identify target population, and state the condition to be changed. **You may choose to only have one goal for each core team member agency (VS, CS, Pros, and LE) with several objectives and activities to meet each goal. If requesting Sexual Assault Set Aside Funds, you must have at least one goal and objective for this. All STOP Teams are required to have at least one goal and objective which addresses the team approach improving the system's response to VAWA crimes.**
- Objective - A specific statement of the desired short-term, immediate outcome of the program which will show accomplishment of the goal. Each objective must be **S.M.A.R.T. (Specific, Measurable, Attainable, Results oriented and Time bound).**
- Outcome- Outcomes measure whether objectives have been met. Outcomes are almost always **measures of change.**
- Outcome Tool The data or tool used to measure achievement of the objective. How will data be collected, analyzed, and results shared.
- Output Are indicators that activities have taken place as planned? For example: Measures "number of counseling sessions held, number of victims served" are **output measures.**
- Activities - What will be done and who will accomplish it. **You must have at least one (1) activity per objective.**
- Timeline - When will the activity begin and end. **You must have a timeline for each activity. This should not say "ongoing"; it should be specific to the grant period.**

Goal  
Number: \_\_\_\_\_

Objective  
Number: \_\_\_\_\_

Outcome :

Outcome Tool:

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number:



Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Goal  
Number: \_\_\_\_\_

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Goal  
\_\_\_\_\_



Number:

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Goal  
Number: \_\_\_\_\_

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.

Timeline for each activity:

- 1.
- 2.



3.

4.

3.

4.

---

Objective \_\_\_\_\_  
Number:

Outcome:

Outcome Tool

Activities to meet objective:

1.

2.

3.

4.

Timeline for each activity:

1.

2.

3.

4.



List the name, title, agency affiliation, mailing address, telephone number, fax number, email address, and amount of time on the team for each STOP team member. Certification of commitment from each team member, reflecting their understanding of the requirements of the **STOP team and all funded agencies** will need to review and understand all Standard and Special Conditions of the grant and will also be required for Appendix H of the application. **Statewide projects** are required to submit membership list and Support Letters or MOU signed by each of their STOP related advisory board/committee.



<b>STOP Violence Against Women Grant Program Application</b>	<b>Organizational Chart Page 8</b>
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Please use this page or attach a copy of your agency's organizational chart and the proposed organizational chart for this project. **List all staff members, position titles, salaries, and funding source for salaries.** An organization chart for **each** agency requesting funding should be included.



<b>STOP Violence Against Women Grant Program Application</b>	<b>Hiring, Firing, and Grievance Procedures, Job Descriptions and Resumes Page 9</b>
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Provide a brief statement outlining your agency's procedures for hiring, firing employees who are funded under this grant and include the grievance procedures and explain how staff are made aware of these. Include with this application a **job description** and **qualifications for the position(s)** proposed under this grant. If position(s) are currently filled, then include a **resume, certificates and licenses to show qualifications** for each position filled. These items should be submitted for each agency and staff requesting funding.



<b>STOP Violence Against Women Grant Program Application</b>	<b>Membership of Governing Board Attachment A</b>
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Please use this page or attach to this page the name, address, and telephone number for each member of the agency's governing board (County Commission, City Council, Board of Directors, etc) for each agency requesting funding.



<b>STOP Violence Against Women Grant Program Application</b>	<b>STOP Team Protocol Certification Attachment B (Team Applications Only)</b>
--	---

As required in the STOP Violence Against Women Program Guidelines, **all Team applicants** are required to have established and implemented as a minimum requirement for each Team Protocol of the following:

- a. Address the Team's response to all four crimes (domestic violence, dating violence, sexual assault, and stalking). *Include Firearms removal/storage information. Also include protocol for law enforcement agencies protocol for law enforcement officers charged with domestic violence, dating violence, sexual assault and stalking crimes.*
- b. Each core discipline (victim services, cultural specific organization (if applicable), law enforcement, and prosecution) must have their individual sections, which address the response to all four violence against women crimes.
- c. Protocol also includes the following:
  1. Response and service at the pre-investigation, investigative, prosecution, and re-entry/aftercare stages, including who responds, what the response/service is, and how the response/service is coordinated.
  2. Mechanisms the Team has in place to: (1) measure compliance with the established Protocol, and (2) measure effectiveness of response and service to victims.
  3. Description of the policies in place for law enforcement officer involved (perpetrated) violence against women cases.
  4. Firearms and ammunition prohibition and removal.
- d. Team members agree to review and evaluate the established protocol on at least an annual basis and submit any revisions to DJCS.
- e. Team members agree to keep current on all local, state, and federal laws, guidelines, and regulations pertinent to violence against women crimes and to appropriately address those laws in the established protocol. Examples; state and local firearms prohibition for domestic violence offenders, polygraph prohibition for sexual assault victims, new revisions to the state stalking law.
- f. Applicant agrees to ensure that victim safety is top priority of the protocol.
- e. Applicant agrees to maintain an updated copy of the protocol during each grant period to be available during on-site reviews and/or at the request of DCJS or the Grant Advisory Committee. If revised; applicant must submit a revised copy of protocol to DJCS with date of revision.

**I certify that I have read all the requirements of the STOP Team Protocol and agree to comply with these requirements.**

---

**Authorized Official Signature (Original)**



<p><b>STOP Violence Against Women Grant Program Application</b></p>	<p><b>Victim Service Consultation Attachment C (Statewide LE, Prosecution and Court Agencies/Applicants Only)</b></p>
---	---

Please use this section to identify the local and/or state victim service agencies consulted **during** the development of the application and describe the coordination effort involved and include a sign-in sheet with date, names and titles of who met. **These needs completed while developing your application.**



## **Appendix C**

### System of Award Management Registration (SAM) Form



All sub-grantees are required to be registered with the System for Award Management Registration (SAM) and to update this information on a yearly basis. Attach a copy of verification of registration with the System for Award Management Registration (SAM), which shows the registration date.



## **Appendix D**

### **Standard and Special Conditions and Assurances**

State of West Virginia





**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Standard Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services  
1124 Smith Street-Suite 3100  
Charleston, West Virginia 25301-1323

**1. LAWS OF WEST VIRGINIA:**

This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by DJCS, regardless of the original funding source. This grant is on a "REIMBURSEMENT ONLY" mechanism.

**2. LEGAL AUTHORITY:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. RELATIONSHIP:**

The relationship of the grantee to DJCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind DJCS for any obligation or expense without the express prior written approval from DJCS.

**4. COMMENCEMENT WITHIN 60 DAYS:**

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

**5. OPERATIONAL WITHIN 90 DAYS:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to DJCS explaining the delay in implementation. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

**6. WRITTEN APPROVAL OF CHANGES:**

The grantee must obtain prior written approval from DJCS for all project changes (programmatic, fiscal or otherwise).



**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**7. CIVIL RIGHTS COMPLIANCE:**

Grantee will comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. § 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07); 28 C.F.R. pt. 31 (U.S. Department of Justice Regulations-OJJDP Grant Programs); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations-Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Exec. Order No. 13279 (equal protection of the laws for faith-based and community organizations); Exec. Order No. 13559 (fundamental principles and policymaking criteria for partnerships with faith-based and neighborhood organizations); and 28 C.F.R. pt.38 (U.S. Department of Justice Regulations-Equal Treatment for Faith-Based Organizations).

In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and the West Virginia Division of Justice and Community Services.

**8. PRESS RELEASE:**

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

**9. LOBBYING:**

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

**10. ACCESS TO RECORDS:**

DJCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.

**11. CONFLICT OF INTEREST:**

No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

**12. POLITICAL ACTIVITY:**

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)



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**13. RELEASE OF INFORMATION:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement, personnel or juvenile sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

**14. NATIONAL AND STATE EVALUATION EFFORTS:**

The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

**15. OBLIGATION OF PROJECT FUNDS:**

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

**16. USE OF FUNDS:**

Funds awarded through DJCS may be expended **ONLY** for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that **any** deviations from the original grant budget are unallowable.

**17. ALLOWABLE AND UNALLOWABLE COSTS:**

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

**18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:**

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.



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**19. NON-SUPPLANTING:**

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

**20. MATCHING CONTRIBUTION:**

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that if match is not "required" by the grant program for which you are making application, but committed and indicated on the budget pages of this application, then this special condition shall be affected.

**21. PROJECT INCOME:**

All income earned by the grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by DJCS as are established for granted funds. All grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

**22. CONSULTANT FEES:**

Approval of this grant does not indicate an approval of consultant rates in excess of \$450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

**23. SUSPENSION OF FUNDING:**

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other cause shown.

**24. SANCTIONS FOR NONCOMPLIANCE:**

In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, DJCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the grantee until the grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received.



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**25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASE:**

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the West Virginia Division of Justice & Community Services (or simply "DJCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No. \_\_\_\_\_ awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United State Department of Justice."

**26. PROPERTY ACCOUNTABILITY:**

The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

**27. CRIMINAL PENALTIES:**

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

**28. REPORTS:**

Each grantee shall submit such reports as DJCS shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

**29. PURCHASING:**

When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or other agency.



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**30. COLLABORATION W/OTHER FED. AND STATE GRANTS:**

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

**31. INFORMATION SYSTEMS:**

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to DJCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

**32. INCIDENT BASED REPORTING COMPLIANCY:**

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

**33. TIME EXTENSIONS:**

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

**34. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:**

Grantee understands and agrees that it cannot use any grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

**35. LIMITED ENGLISH PROFICIENCY:**

Grantee must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency. For more information on the civil rights responsibilities that grantees have in providing language services to limited English proficiency individuals, please see the website [www.lep.gov](http://www.lep.gov).



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**36. COMPUTER EQUIPMENT:**

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are **minimum** hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

**Minimum Hardware Requirements:**

- Processor: Intel Core i3, 3.00 GHz
- RAM: 4 GB minimum
- Hard Drive: 500 GB, 7200 RPM SATA, upgradable
- Keyboard: Standard USB
- Mouse: Optical USB 2 button W/scroll
- DVD/RE: Multi DVD/RW optical drive
- USB Ports: 4 back, 2 front, with a minimum one USB 2.0 port or higher
- Ethernet Port: Standard integrated
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

**Recommended Hardware Components:**

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (**may** be integrated)
- APC UPS Backup power protection (adequate size to handle power load)

**Software Requirements:**

Whenever possible, software should operate within open industry standards. For example, Windows 7 Enterprise 32 bit

**Warranty Requirements:**

3 Year on-site warranty

**37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:**

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at [www.it.ojp.gov/gjxdm](http://www.it.ojp.gov/gjxdm).



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**38. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:**

Federal Office of Management and Budget (OMB) sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. If applicable, this grant shall adhere to the audit requirements set forth at the time of award. (2CFR Part 200 or OMB Circular Q-133 – for further information go to OMB Uniform Guidelines at: [https://search.whitehouse.gov/search?affiliate=wh&form\\_id=usasearch\\_box&query=Indirect+Costs](https://search.whitehouse.gov/search?affiliate=wh&form_id=usasearch_box&query=Indirect+Costs))

§200.501(a) *Audit required.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

(b) *Single audit.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

(c) *Program-specific audit election.* When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub-recipient, approves in advance a program-specific audit.

(d) *Exemption when Federal awards expended are less than \$750,000.* A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

l.) If an audit must be conducted pursuant to the Uniform Guidelines, a copy of the audit shall be submitted to DJCS as well as to the Federal clearinghouse.

The Federal clearing house is as follows:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:**

l.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

**40. CONFIDENTIALITY OF RESEARCH INFORMATION:**

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

**41. LEASE AGREEMENTS:**

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.



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**42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:**

The grantee will provide an Equal Employment Opportunity Plan (EEO) to the Office for Civil Rights, Office of Justice Programs (OCR) and the West Virginia Division of Justice and Community Services, if it has received a single award of \$500,000 or more. If the grantee receives \$25,000 or more and has 50 or more employees, it will maintain a current EEO on file and submit an EEO Certification Form to the OCR, certifying that its EEO is on file. For public grantee agencies receiving less than \$25,000, or public grantee agencies with fewer than 50 employees, regardless of the amount of the award, the grantee will provide an EEO Certification Form to the OCR certifying it is not required to submit or maintain an EEO. EEO Certification Forms are available at: <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

**43. VETERANS PREFERENCE:**

This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. DJCS defines "suitable preference" as the requirement that a grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

**44. IMMIGRATION AND NATURALIZATION VERIFICATION:**

The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.

**45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:**

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

**46. PERSONNEL TRAINING:**

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

**47. ACCOUNTING REQUIREMENTS:**

Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

**48. OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:**

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

**49. TRANSFER OF FUNDS PROHIBITION:**

The grantee is expressly prohibited from transferring funds between any DJCS programs.

**50. MARKING OF EQUIPMENT:**

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."



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**51. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Grantee acknowledges that DJCS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

**52. CENTRAL CONTRACTOR REGISTRATION:**

Grantee agrees to register with the Central Contractor Registration (CCR), [www.ccr.gov](http://www.ccr.gov) and provide documentation to DJCS within 30 days of award notification that they have done so.

**53. DATA UNIVERSAL NUMBERING SYSTEM:**

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, [www.dnb.com](http://www.dnb.com) and provide documentation to DJCS within 30 days of award notification that they have done so.

**54. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:**

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

**55. BIDDING PROCEDURES:**

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to \$100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.



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**56. COMPLIANCE WITH FEDERAL PROCEDURES:**

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

- a. Part 11, Applicability of Office of Management and Budget Circulars.
- b. Part 18, Administrative Review Procedures.
- c. Part 20, Criminal Justice Information Systems.
- d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
- e. Part 23, Criminal Intelligence Systems Operating Policies.
- f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
- g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

**57. ADDITIONAL REGULATIONS AND PROCEDURES:**

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

- a. National Environmental Policy Act of 1969 (NEPA).
- b. National Historic Preservation Act of 1966.
- c. Flood Disaster Protection Act of 1973.
- d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
- e. Control Act Amendments of 1972.
- f. Safe Drinking Water Act.
- g. Endangered Species Act of 1973.
- h. Wild and Scenic Rivers Act.
- i. Fish and Wildlife Coordination Act.
- j. Historical and Archaeological Data Preservation.
- k. Coastal Zone Management Act of 1979.
- l. Animal Welfare Act of 1970.
- m. Impoundment Control Act of 1974.
- n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
- o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
- p. Death in Custody Act of 2000.

**58. RELIGIOUS ACTIVITIES**

Grantees must ensure that services are offered without regard to religious affiliation and that receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the funded project. Participation in such activities by individuals receiving services must be voluntary.



To the best of my knowledge the applicant has and will comply with all of the attached Standard Conditions and Assurances.

**Authorized Official:**

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**Title:**

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**Signature:**

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**Date:**

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**WEST VIRGINIA  
DIVISION OF Justice and Community  
Services**

**STOP VIOLENCE AGAINST WOMEN GRANT  
SPECIAL CONDITIONS AND ASSURANCES**

**59. ADMINISTRATIVE CHANGES:**

The applicant must advise DJCS immediately in writing if there are any changes in the: (1) Project Director, (2) Fiscal Officer, (3) Authorized Official, or (4) STOP VAWA Grant-funded staff position(s). Please also submit to DJCS a new membership list if there are any changes in the members of a governing board, such as County Commission or City Council, or changes in members of the STOP Team or Advisory Board/Committee.

**60. LATE REPORTING:**

Funded agencies understands that projects which become 60 days delinquent in the submission of reporting requirements will forfeit one month of reimbursable expenses for the entire project. Each additional 30 days past the initial 60-day delinquency period shall result in an additional forfeiture of a month's reimbursable expenses. All requests for reimbursements and accompanying documents are due to DJCS by the 20<sup>th</sup> of each month. A history of late reports may result in a 25% cut in future funding.

**61. CLIENT FILES:**

Funded agencies must maintain client files for all victims served to document type of crime and services provided throughout the grant period. Funded agencies also agrees to collect and maintain information, where such information is voluntarily furnished by those receiving service, on race, sex, national origin, age and disability. These records are to be available at any time for review by DJCS as long as it follows the Violence Against Women Act and all re-authorization confidentiality requirements.

**62. CLIENT SURVEYS/EVALUATIONS:**

All funded agencies are required to implement client surveys for evaluation purposes. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented. All surveys/evaluations must ensure client confidentiality.

**63. CLIENT CONFIDENTIALITY:**

All funded community-based agencies must maintain a written confidentiality policy that prohibits the disclosure of victim's name, address, phone number, any contact information, or any other personally identifying information without prior voluntary written and informed consent of the victim (or legal guardian). All confidentiality policies must adhere to all confidentiality requirements under the Violence Against Women Reorganization Act of 2005 and 2013. All funded agencies must maintain confidentiality as required under the Violence Against Women Reorganization Act of 2005 and 2013 and complies with the provision of 42 U.S.C. 13925(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies, procedures for release of information.

**64. NOTIFICATION OF VICTIM COMPENSATION PROGRAM:**

All funded agencies are required to assist crime victims in seeking available and eligible crime victim compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of the victim compensation fund, assisting with the application forms and procedures, obtaining necessary documents, and/or checking on claim status.

**65. GRANT FILE:**

Sub-grantee must maintain a grant file containing all grant-related documents, such as the grant agreement, monthly financial reports, monthly progress reports, and any grant-related correspondence. In some situations, the project site maybe at a different location than the official sub-grantee. Therefore, an official grant file should be maintained by both the official sub-grantee and the project site. These records are to be available at any time for review by DJCS. All grant files are to be kept for three years after the Federal Grant period ends.



**WEST VIRGINIA**  
**DIVISION OF Justice and Community**  
**Services**

**STOP VIOLENCE AGAINST WOMEN GRANT**  
**SPECIAL CONDITIONS AND ASSURANCES**

**66. ADMINISTRATIVE MANUAL:**

All pertinent information in regard to the Violence Against Women Act of 1994 and amendments and all applicable federal and state laws, orders, circulars and regulations are updated and maintained in the appropriate administrative manual by sub-grantees.

**67. TRAVEL/TRAINING:**

Any sub-grantee and/or funded agency receiving STOP VAWA Grant funding for training must submit in writing to DJCS a training plan, and must also request in writing any adjustments to a training plan. Also, any STOP VAWA grant-funded staff position who attends any training workshop or conference must submit a written narrative identifying the training, its purpose, what specific workshops they want to attend, and the useful information obtained that will assist in implementing the STOP VAWA grant project. **All trainings must be approved in advance by DJCS** by submitting a written request (from project director) identifying the staff person who will be attending, the name of the conference and purpose, and attaching a brochure outlining the costs and the agenda.

**Please note** – sub-grantee representatives (project director and STOP VAWA-funded staff positions/volunteers) and/or STOP Team members may be required to attend training workshops deemed critical by DJCS.

**68. VAWA-FUNDED TRAINING EVENTS:**

All agenda topics and trainers must be pre-approved by DJCS for any training events (conferences, workshops, symposiums, etc.) paid for with STOP VAWA funds. A written request must be submitted to DJCS **90** days prior to entering into any agreements for agenda topics, speakers, and/or trainers. The request must include workshop descriptions and speaker biographies. All state agencies are required to work with the WV Coalition Against Domestic Violence and/or the WV Foundation for Rape Information and Services in acquiring appropriate speakers prior to the conference.

**Please note** – all STOP VAWA funded training events must include an evaluation component and the results of the evaluations must be submitted to DJCS with the corresponding monthly report. Also, all funded trainings must provide certificates for all participants. The sub-grantee understands that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Sub-grantees available at <http://www.ovw.usdoj/grantess.html>.

**69. INTERAGENCY AGREEMENTS:**

Where applicable, sub-grantee and funded agencies must develop a formal referral protocol and interagency agreements; copies of interagency agreements and referral protocols may be required to be submitted with the application.

**70. HIRING, FIRING and GRIEVANCE PROCEDURES:**

Hiring, firing and grievance procedures outlined in the grant application should be followed in hiring and firing STOP VAWA grant-funded staff positions. Staff hired must meet the qualifications outlined in the job description for the position. DJCS is to be advised in writing if there are any difficulties in filling STOP VAWA grant-funded staff positions. Staff are to be made aware of all policies concerning hiring, firing and grievance procedures

**71. PLANNING AND EVALUATION TEAM:**

The applicant is required to maintain an interagency Planning and Evaluation Team (STOP Team) that will meet at least quarterly to review the status of grant objectives, to develop strategies for resolving any problems or barriers, and to perform periodic evaluations. This team must adhere to all minimum requirements contained in the STOP VAWA program guidelines. Statewide projects may use an advisory board or committee for this purpose.

**72. CONSULTATION WITH VICTIM SERVICES:**

All law enforcement, prosecution, and court applicants are required to consult with local non-profit victim service programs during the course of developing their application in order to ensure the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking, and dating violence.



**73. ACTIVITIES THAT MAY COMPROMISE VICTIM SAFETY:**

The sub-grantee agrees that grant funds will not support activities that compromise victim safety and recovery, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services; pre-trial diversion programs not approved by OVW or the placement of offenders in such programs; mediation, couples counseling, family counseling or any other manner of joint victim-offender counseling; mandatory counseling for victims, penalizing victims who refuse to testify, or promoting procedures that would require victims to seek legal sanctions against their abusers (e.g., seek a protection order, file formal complaint); the placement of perpetrators in anger management programs; or any other activities outlined in the solicitation under which the approved application was submitted

**74. AUDITS:**

All programs will submit a copy of an audit to DJCS each fiscal year if required by OMB Uniform Guidelines. Additionally, programs who are not required to submit an audit under §12-4-14 are still required to submit a copy of an audit or an annual internal financial review to the Program Administrator at DJCS, showing the total budget expenditures and revenues from all sources for the prior year, along with a systematic method for timely and appropriate resolution of findings and/or recommendations

**75. DEBARMENT:**

Any funded agency that is debarred with the State of West Virginia or Federally must inform DJCS in writing within 30 days of becoming debarred and have a plan of action stating the steps to address this issue. Funds will be frozen and the sub-grantee has 30 days to address this issue and then funds may be deobligated.

**76. 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.

**77. TEXT MESSAGING:**

Applicant and all funded agencies will develop and implement a written policy which bans employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers

**78. FORENSIC MEDICAL EXAMINATIONS:**

In order to be eligible for VAWA grant funds the grantee and funded agencies understands a forensic medical exam is provided to all victims of sexual assault free of charge and does not require the victim to participate in the criminal justice system or cooperate with law enforcement unless they choose to do so. *(Pursuant to recent statutory changes, local prosecutor approval is no longer required for either performing an exam or for billing the Institute for said exam. See 168 CSR 1, et. Seq)*

**79. POLYGRAPH TESTING PROHIBITION:**

In order to be eligible for VAWA Grant funds the grantee and funded agencies will ensure in their policies or practices that no law enforcement officer, prosecuting attorney or other government agency or funded agency ask or require an adult, youth or child victim of an alleged sexual assault or sex offense defined under Federal, State, Tribal, Territory, or local law; to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. The refusal of a victim to submit to a polygraph examination or truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense.

**80. EQUIPMENT:**

The grantee and funded agencies agrees that grant funds will not be used to support the purchase of law enforcement equipment, including uniforms, safety vests, shields, weapons, bullets, and armory or to support chemical dependency or alcohol abuse programs that are not an integral part of a court-mandated batterer intervention program.



**81. PUBLIC AWARENESS:**

The grantee and funded agencies agrees grant funds will not be used to conduct public awareness or community education campaigns or related activities. Grant funds may be used to support, inform, and provide outreach to victims about available services.

**82. TRAINING:**

All funded agency/staff on STOP Teams will be required to complete eight (8) hours per year of approved training on one of the following issues within the grant period: Domestic Violence, Sexual Assault, Stalking or Dating Violence. They must submit a certificate showing they completed this training by the end of June 30<sup>th</sup>. This includes law enforcement agencies that are funded overtime; at least one officer from the funded agency must complete an 8 hour training.

**83. ENSURING VICTIMS RIGHTS:**

All funded programs/agencies will practice a "Victim Centered Approach" in providing services and in their trainings. They are required to inform victims of their rights and ensure victims are afforded their rights.

**84. VIOLENCE AGAINST WOMEN ACT:**

The sub-grantee agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, 2000, and 2005 and 2013; and the omnibus Crime Control and Safe Streets Act of 1968 and OVW's implementing regulations.

**85. FALSE CLAIMS, FRAUD, AND WASTE:**

The recipient must promptly refer to the DOJ OIG and DJCS any credible evidence that an employee, agent, contractor, sub-contractor or other person has either 1) submitted a false claim for grant funds; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. Reports should be made to OIG by mail:

Office of the Inspector General

US Department of Justice

Investigations Division

950 Pennsylvania Avenue, N.W.

Room 4706

Washington D. C. 20530

No sub-grantee which receives funds or contracts may requires 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.

Sub-grantee also certifies that, if it learns or is notified DJCS of any requirements or agreements or restricts reporting of waste, fraud, or abuse as described above. Be aware if any is reported to DJCS funds will be frozen and possibly deobligated.

**86. LEGISLATION:**

The sub-grantee understands and agrees it cannot use any federal funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy at any level of government without the express written approval of OVW, in order to avoid violation of 18 US § 1913. The sub-grantee may use federal funds to collaborate with and provide information to Federal, State and local public officials and agencies to develop and implement policies to reduce or eliminate domestic violence, dating violence, sexual assault and stalking when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program

**87. OVW FINANCIAL GUIDE:**

The sub-grantee agrees to comply with the financial, training and conference requirements set forth in the current edition of the Office on Violence Against Women (OVW) Financial Grants Management Guide. Can find the OVW Guide at <http://www.ovw.usdoj.gov/grantees.html>



**88. RELIGIOUS OR MORAL BELIEFS:**

The sub-grantee understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds or of the parents or legal guardians of such students.

**89. COMPUTER NETWORKS:**

The sub-grantee understands and agrees that (a) no award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in the subsection (a) limits the use of funds necessary for any Federal, State, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution or adjudication activities. All funded agencies will have a policy which denies access to staff or volunteers to view, download and exchange pornography unless it is for Law Enforcement or prosecution for carryout criminal investigations, prosecutions, or adjudication activities.

**90. FUNDS:**

The sub-grantee understands and agrees that misuse of award funds may result in a range of penalties including suspension of current or future funds, suspension or debarment from Federal grants, recoupment of monies provided under the award, and civil and/or criminal penalties. Grant funds may be used only for the purposes in the sub-grantees approved application to OVW and that use of staff, equipment or other goods or services paid for with OVW grant funds, without the prior written approval from OVW. The sub-grantee agrees that if they receive any funding that is a duplicate of funding received under this grant, they will notify DJCS as soon as possible and a grant adjustment will be issued changing the budget to eliminate duplication and they understand that any duplicate funding will be deobligated from its award and returned to OVW.

**91. CONSULTANT RATES:**

Consultant rates in excess of \$650 per day or \$81.25 per hour must receive prior approval by OVW prior to obligation or expenditure of such funds. All contracts must be submitted 90 days prior to training for approval.

**92. MATERIALS:**

All materials, publications, or reports, or products, funded under this grant must submit for approval to OVW 20 days prior to release for approval. It must be submitted to DJCS 40 days prior to release so they may submit to OVW for approval. If changes are required it will be needed to be revised prior to publication and/or distribution.

**93. MATCH:**

Each agency requesting funds must meet their own match as required and must follow the guidelines in the VAWA Administrative Manual.

**94. DISCRIMINATION**

No person in the United States, shall on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249 (C) (4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or part with funds with funds made available under (VAWA) and any other program or activity funded in whole or in part with funds for appropriated for grants, cooperative agreements and other assistance administered by the Office on Violence Against Women

**95. USING ARREST and CONVICTION RECORDS in EMPLOYMENT DECISIONS**

The recipient will consult the 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.eeoc.usdoj/about/ocr/pdfs/UseofConviction\\_advisory.pdf](http://www.eeoc.usdoj/about/ocr/pdfs/UseofConviction_advisory.pdf)



<b>96</b>	<b>LEGAL ASSISTANCE:</b>
<p>If being funded for Legal Assistance the applicant must meet the following eligibility requirements:</p> <ol style="list-style-type: none"> <li>1. Any person providing legal assistance through a program funded under VAWA (A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault or stalking in the targeted population; or (B) is partnered with an entity or person that has demonstrated expertise described above; has completed or will complete training on in connection with domestic violence, dating violence, sexual assault and stalking; any training issues, including training on evidence-based risk factors for domestic and dating violence homicide; (2) any training program conducted in satisfaction of the above paragraph and has been or will be developed with input from and in collaboration with the State domestic violence, sexual assault, dating violence and stalking victim service provider or coalition; as well as appropriate State Law Enforcement officials; (3) any person or organization providing legal assistance through VAWA has informed or will continue to inform State and local domestic violence, stalking, sexual assault and dating violence programs and coalitions as well as state and local law enforcement agencies of their work; (4) and the agencies policies do not require mediation counseling involving offenders and victims physically together, in cases where sexual assault, dating violence, domestic violence, stalking or child abuse is an issue.</li> </ol>	
<b>97.</b>	<b>SEXUAL ASSAULT FORENSIC KITS:</b>
<p>All funded law enforcement agencies are to collect sexual assault forensic kits from hospitals within 48 hours of notification from the hospital and send those kits to the State Police Crime Lab.</p>	
<b>98.</b>	<b>FUNDS:</b>
<p>All pass-through funded agencies are to be reimbursed within 30 days of receipt of reimbursement from DJCS. At a minimum documentation must be submitted to DJCS quarterly showing the status for reimbursement for each funded agency.</p>	
<b>99</b>	<b>PROTECTIVE ORDERS:</b>
<p>All funded law enforcement agencies will serve protective orders (including but not limited to Emergency Protective Orders, DV Protective Orders, Personal Safety Orders, etc.) within the 72 hour limit. Failure to do so may result in loss or deobligation of funds.</p>	
<b>100</b>	<b>SAFE Streets ACT:</b>
<p>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 EEOP(see 28C.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)).</p>	
<b>101</b>	<b>NON-DISCLOSURE AGREEMENTS</b>
<p>No sub-recipient under this award or entity that received a contract or sub-contract with any funds under this award, may require any of its 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) waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.</p>	
<b>102</b>	<b>REPORTS:</b>
<p>The sub-grantee and funded agencies are required to collect and maintain data that measure the effectiveness of their grant-funded activities and to submit annual electronic progress reports on program activities and program effectiveness measures and are required to submit in the timeframe given.</p>	
<b>103</b>	<b>STOP TEAMS:</b>
<p>The goal of STOP Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and non-governmental agencies to restructure and strengthen the Criminal Justice system response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to address this complex problem. Therefore all STOP Team grants will have a goal and/or objective which address the core team's (whether they are funded or not) involvement and process in the STOP VAWA grant (this could be STOP Team meetings, trainings, public awareness events, etc.) They are also required to follow the STOP Team Guidelines.</p>	



<b>104.</b>	<b>PROJECT DIRECTOR:</b>
<p>The Project Director will to the best of their ability ensure all information is forwarded to <u>all</u> funded staff/agencies; this includes but is not limited to:</p> <ul style="list-style-type: none"> <li>o Budgets</li> <li>o Special standard and supplemental conditions of the grant</li> <li>o Memos</li> <li>o Surveys</li> <li>o Changes in grant requirements</li> <li>o Forms; ensure they receive all updated forms</li> <li>o Training availability</li> <li>o Civil Rights Compliance</li> </ul>	
<b>105.</b>	<b>GRANT PERIOD:</b>
<p>All sub-grantees understand that grant periods may not be extended after the June 30<sup>th</sup> 2016 date and that remaining funds not expended may be deobligated and placed in any funding category to be re-awarded. This includes State programs.</p>	
<b>106.</b>	<b>REPORTING DUPLICATIVE FUNDING</b>
<p>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.</p>	
<b>107.</b>	<b>PROHIBITED CONDUCT RELATED TO TRAFFICKING IN PERSONS</b>
<p>Any sub-recipient ("sub-grantee") 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 sub-recipients ("sub-grantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any sub-recipient. The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OVW web site at <a href="https://www.justice.gov/ovw/grantees">https://www.justice.gov/ovw/grantees</a> (Award condition: Prohibited conduct by recipients and Sub-recipients related to trafficking in persons (including reporting requirements and OVW authority to terminate award)), and are incorporated by reference here.</p>	
<b>108.</b>	<b>CONFERENCE PLANNING, APPROVAL AND REPORTING</b>
<p>Sub-recipient ("sub-grantee") 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 as posted on the OVW website.</p>	
<b>109.</b>	<b>CIVIL RIGHTS AND NONDISCRIMINATION:</b>
<p>Sub-recipient ("sub-grantee") 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. Any sub-recipient ("sub-grantee") 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 sub-recipient ("sub-grantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and Sub-recipients that are faith-based or religious organizations.</p>	
<b>110.</b>	<b>APPROPRIATION-LAW RESTRICTIONS:</b>
<p>The sub-recipient ("sub-grantee") 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 <a href="https://www.justice.gov/ovw/grantees">https://www.justice.gov/ovw/grantees</a>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a sub-recipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.</p>	



<b>111.</b>	<b>RIPISAL FOR DISCLOSURE OF INFORMATION</b>
<p>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. DJCS must also be made aware.</p>	
<b>112.</b>	<b>REQUIREMENT TO REPORT CIVIL, CRIMINAL, and ADMINISTRATIVE PROCEEDINGS TO SAM AND FAPIIS</b>
<p>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 OVW award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OVW 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 OVW web site at: <a href="https://www.justice.gov/ovw/grantees">https://www.justice.gov/ovw/grantees</a>, (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.</p>	

**I certify that I have read the entire Standard and Special Conditions and Assurances of this grant program and agree to comply with these requirements. I understand all funded agencies are held to these Special Conditions and will be made aware of the requirements if funded.**

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**Authorized Official Signature (Original)**



# **Appendix E**

Memorandum of Understanding for STOP Team  
Members

STOP Violence Against Women  
(STOP VAWA) Grant



<b>STOP Violence Against Women Grant Program Application</b>	<b>MOU for STOP Teams Only</b>
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Attach a copy of the Memorandums of Understanding (MOU (*NOTE: An MOU must be signed by individuals with authority to enter into agreements for **each** agency*). All Core Members/agencies must sign the MOU. **The MOU must include the following**

- I. Commitment that **all members have an understanding of the project and requirement and are willing to assist in meeting the expectations of the grant requirements.**
  - a. All core members must have **active** participation and **regular attendance** at Team meetings. A high level of commitment from all core members to work collaboratively must be demonstrated.
  - b. Maintain a Team protocol for responding to domestic violence, sexual assault, stalking and dating violence crimes. Regular reviews and necessary revisions should be an on-going process. *Note: Protocols must include the firearms information.*
  - c. Team members will be expected to address violence against women issues within their own organizational services and employment practices. All funded programs will practice a Victim Centered Approach.
  - d. The application, Team protocol, and required reports must have input from **all** core members. These three topics should be recurring topics at Team meetings.

All components of the application apply to the entire Team, whether all entities are STOP funded or not.

All required paperwork must be completed in a timely and thorough manner and meet Standard, Special and Supplemental Condition Requirements.

- e. Application, protocol, membership, and meeting topics must address all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking).
  - f. Community Awareness of services available and where victims can receive services must be conducted as a Team.
  - g. All funded agencies have reviewed and understand all Standard and Special Conditions of the grant.
- II. MOU must include the Project Director's and the Fiscal Officer's role:

**Project Director's role:**

- ∞ Be the main contact for DJCS staff
- ∞ Ensure all information is forwarded to **all** funded staff/agencies; this includes but is not limited to:
  - o Budgets
  - o Special and standard conditions of the grant
  - o Memos
  - o Surveys
  - o Changes in grant requirements
  - o Forms; ensure they receive all updated forms
  - o Training available
  - o Civil Rights Compliance



- ☞ Ensure all reports are submitted on time to DJCS
- ☞ Inform DJCS of changes in staff and Authorized Officials, Fiscal Officers, etc.
- ☞ Request project changes and prior approval of attendance of training/travel not specified in budget.
- ☞ The Project Director is the contact person for members of the West Virginians Against Violence Committee
- ☞ Submit copies of audits to DJCS and contact DJCS if debarred

**Fiscal Officer's Role**

- ☞ The contact person for financial questions
- ☞ Review the approved budget for each grant
- ☞ Be aware of Special and Standard Conditions of the grant
- ☞ Review all monthly financial reports and ensure all required documentation is included
- ☞ Submit copies of audits to DJCS and contact DJCS if debarred

Also it is required the Project Director, Fiscal Officer and all funded agency directors meet on a quarterly basis to discuss changes, issues with the grant, and problems with payments. This needs to be included in the MOU and should be separate from STOP Team Meetings.

**III. All MOU's must include the following information:**

- All changes to the Project Financial Reports should be forwarded to all funded agencies. The MOU should state who will be responsible for this and by what date it will be done. DJCS sends changes to the person who completed the Budget Summary; it is the responsibility of the pass-through agency to forward those changes.
- The date when reports are due to the pass-through sub-grantee from all funded agencies in order to submit paperwork to DJCS in a timely fashion. All funded agencies must be aware it is a requirement to submit all required paperwork to DJCS each month by the 20<sup>th</sup> of each month. Your pass-through must have an earlier due date so documents are submitted on time to DJCS.
- After receiving reimbursement from DJCS/Auditor's office the pass-through sub-grantee will have 30 days to reimburse the other funded agencies.
- All agencies must submit an annual report and it must be submitted by the deadline sent by DJCS.
- Explain the history of each agency and how they have worked together.
- Include a Mission Statement for each agency.



<b>STOP Violence Against Women Grant Program Application</b>	<b>MOU for STOP Teams Only</b>
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- Include a referral plan and how each agency documents
- Explain how they will work together to improve services and improve the criminal justice system's response to VAWA victims.



# **Appendix F**

Support Letters

STOP Violence Against Women  
(STOP VAWA) Grant



**State Programs/Agencies:** The STOP Violence Against Women Program Guidelines strongly recommends an advisory committee made up of at least a non-profit, non-governmental victim services, prosecution and law enforcement members. Please attach support letters from advisory board members.

Also include on letterhead from your agency a letter which addresses the following:

- Demonstrate the need for the grant funds for the particular constituency, intended use of grant funds, expected results from the use of the grant funds, and demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity, and language background

**New Applicants/New Programs:** Are required to provide support letters from law enforcement, victim services, prosecution and courts in their service area. This includes if a new agency is added to an already existing STOP Team. Also include on letterhead from your agency which addresses the following:

- Demonstrate the need for the grant funds for the particular constituency, intended use of grant funds, expected results from the use of the grant funds, and demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity, and language background



## **Appendix G**

Proof on Non-Profit Status  
(New Applicants Only)

STOP Violence Against Women  
(STOP VAWA) Grant



<b>STOP Violence Against Women Grant Program Application</b>	<b>Proof of Non-Profit Status New Non-Profit Applicants Only</b>
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Please attach in this section a copy of your agency': (1) Articles of Incorporation from the WV Secretary of State's Office; (2) Certificate of Incorporation from the WV Secretary of State's Office; and (3) the IRS Determination Letter.



## **Appendix H**

STOP Team Application Development  
Documentation  
STOP Violence Against Women  
(STOP VAWA) Grant



<b>STOP Violence Against Women Grant Program Application</b>	<b>Application Development Documentation (STOP TEAMS Only)</b>
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Provide documentation which shows the STOP Team met as a team to develop the application. Documentation must include a sign-in sheet which lists STOP Team Members, date and agency; and agenda and meeting minutes.



# **Appendix I**

## **State of West Virginia STOP Violence Against Women Grant Program Guidelines**



## General Information

The Violence Against Women Act (VAWA), enacted by Congress, is set out in Title IV of the Violent Crime Control and Law Enforcement Act of 1994. The Act provides financial assistance to States for developing and strengthening effective law enforcement and prosecution strategies and victim services in cases involving violent crimes of domestic violence, sexual assault, stalking and dating violence.

The goal of STOP (Services\*Training\*Officers\*Prosecutors) Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and nongovernmental agencies to restructure and strengthen the Criminal Justice system response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to deal with this complex problem. STOP VAWA promotes a coordinated, multidisciplinary approach to improve the criminal justice system's response to violent crimes of domestic violence, sexual assault, stalking and dating violence.

The Violence Against Women Act was reauthorized in 2000 (Violence Against Women Act of 2000), again in 2005 (Violence Against Women and Department of Justice Reauthorization Act of 2005) and again in 2013 (Violence Against Women and Department of Justice Reauthorization Act of 2013). Each reauthorization modified program requirements and guidelines.

***NOTE:*** *Nothing in the VAWA Act shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under the Act; however, the Act does not require the funding of male-only programs with VAWA funds.*

## Administration of Federal Funds

The U.S. Department of Justice, Office on Violence Against Women awards funds appropriated by Congress to the Division of Justice and Community Services which has been designated by the Governor as the state agency responsible for the administration of the Violence Against Women Act Program in West Virginia.

## Grant Applications

Applications for federal funds by agencies are initiated by completing a STOP Violence Against Women grant application for a project and submitting it to the Division of Justice and Community Services. New projects must submit a



Request for Proposal and must meet all requirements of STOP VAWA in order to complete an application kit.

The standard grant application form must be used for all grants. The application kits are available from Division of Justice and Community Services. Contact with staff should be maintained during the preparation of the grant application. Grant funding is awarded on a competitive basis each year. **There is no guarantee of funding beyond the one year award period.**

The project period for STOP VAWA grants is July 1 – June 30.

Late and incomplete applications will not be forwarded to the Committee for consideration.

## Federal Program Purpose Areas

The Violence Against Women Act enumerates the following statutory purposes for which funds may be used:

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence, including the appropriate use of nonimmigrant status under subparagraphs (U) and (T) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a));
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence, as well as the appropriate treatment of victims;
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;



5. Developing, enlarging, or strengthening victim services and legal assistance programs, including sexual assault, domestic violence, stalking, and dating violence programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, dating violence, stalking, and domestic violence;
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
7. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence;
8. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;
9. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence, dating violence, stalking, or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals;
10. Providing assistance to victims of domestic violence and sexual assault in immigration matters;
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
12. Supporting the placement of special victim assistants (to be known as "Jessica Gonzales Victim Assistants") in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law



enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities-

- (A) developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
- (B) Notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
- (C) Referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
- (D) Taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.

13. Providing funding to law enforcement agencies, victim services providers, and state, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote—

- (A) the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
- (B) the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003); and
- (C) The development of such protocols in collaboration with state, tribal, territorial and local victim services providers and domestic violence coalitions.

Note: Any law enforcement, state, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program shall, on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of two years, provide a report of the adopted protocol to the Department, including a summary of progress in implementing such protocol. As such, states and territories are responsible for ensuring that each sub-grantee receiving funds under this purpose area will receive the required annual training. States are also



responsible for ensuring that sub-grantees submit their two-year report to the Department. States and territories must notify and provide OVW with a list of sub-grantee recipients awarded STOP funds under the Crystal Judson Domestic Violence Protocol Program.

14. Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.
15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.
16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.
17. Developing, enlarging or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.
18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.
19. Developing, enlarging, or strengthening programs and projects to provide services and responses to male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code.
20. Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a state to be used for this purpose.

## **Federal Program Priority Areas**

The emphasis of the STOP VAWA Program is on the implementation of comprehensive strategies addressing violence against women that are sensitive to the needs and safety of victims and hold offenders accountable for their crimes. Programs should seek to carry out these strategies by forging lasting partnerships between the criminal justice system and victim advocacy



organizations and by encouraging communities to look beyond traditional resources and to look to new partners to respond more vigorously to domestic violence, sexual assault, and stalking crimes, such as faith-based and community organizations.

Examples of innovative approaches include those:

- ❖ Support and retain core services to victims; particularly for victims of sexual and domestic violence and support for rape crisis center and domestic violence shelters;
- ❖ Increase support for sexual assault response, including services, law enforcement and prosecution;
- ❖ Increase support for underserved populations, particularly communities of color, in a culturally appropriate manner, with a special emphasis on African-American, tribal and LGBT communities;
- ❖ Increase the use of promising or evidence-building practices, where available;
- ❖ Meaningfully increase access to STOP-funded programming for specific underserved populations (based on race, ethnicity, sexual orientation, gender identity, disability, age, etc.);
- ❖ Provide basic and advanced training to tribal law enforcement and tribal courts regarding responses to victims in tribal communities;
- ❖ Provide comprehensive training to victim services, law enforcement, prosecution, and court personnel on sexual assault, to support increased reporting, arrest and successful prosecution of perpetrators;
- ❖ Support training for tribes, states and territories on Full Faith and Credit enforcement of out-of-state protection orders;
- ❖ Implement evidence-based risk/danger assessments to identify and prioritize victims who are considered to be in relationships with a high risk of lethality
- ❖ Strengthen and revitalize coordinated community response and multidisciplinary teams, prioritizing those that meaningfully involve organizations and programs that focus on marginalized communities.

## West Virginia's Plan



It is the mission of the West Virginians Against Violence (WVAV) Committee to increase the awareness and understanding of domestic violence, sexual assault, dating violence and stalking crimes and its consequences, reduce the incidence of domestic violence, sexual assault, stalking and dating violence crimes and to create a safer environment for all victims, and provide a collaborative response to the needs of victims of domestic violence, sexual assault, stalking and dating violence crimes within West Virginia.

The following goals and objectives are set forth as an implementation plan to accomplish the mission:

**Goal 1: Continue to improve the criminal and civil justice systems response to domestic violence, dating violence, sexual assault, and stalking crimes.**

**Objective A:** Sustain the number of, and increase the training available to, dedicated assistant prosecuting attorneys, law enforcement officers, and victim advocates committed to the effective and appropriate responses of domestic violence, dating violence, and stalking cases.

**Objective B:** Increase the number of, and the training available to, dedicated assistant prosecuting attorneys, law enforcement officers, and victim advocates committed to the effective and appropriate response to sexual assault crimes.

**Objective C:** Support the use of victim-centered local protocols in each STOP funded county to:

- Support the on-going team approach to prosecution of domestic violence, stalking, sexual assault, and dating violence crimes among prosecutors, law enforcement officers, judges, and victim service advocates;
- Support evidence-based prosecutions;
- Collect data regarding the arrests and dispositions of domestic violence, dating violence, sexual assault, and stalking cases; and
- Enforce and implement state and federal statutes regarding domestic violence, dating violence, sexual assault, and stalking crimes.
- Include response to elder abuse and disabled victims for domestic violence, dating violence, sexual assault, and stalking crimes.
- Ensure all victims of crime are notified of their rights as a victim and all agencies are required to respect and uphold these rights.



- Ensure the protocols are reviewed on a yearly basis and updated as needed;
- And ensure all plans address cultural competency responses

**Objective D:** Develop and implement performance measures in order to determine effectiveness and accountability of prosecutor's, law enforcement's, and victim service's response to domestic violence, sexual assault, stalking, and dating violence crimes.

**Objective E:** Develop and implement a Lethality Risk Assessment and Process which addresses multiple disciplinary agencies response in order to help reduce domestic violence related homicides. Also, train advocates, law enforcement, prosecutor, and court staff concerning the Lethality Risk Assessment.

**Goal 2: Coordinate and structure cross training to maximize attendance of all professionals and paraprofessionals that impact victims of domestic violence, sexual assault, dating violence, and stalking crimes, in order to provide a better response to victims.**

**Objective A:** Utilize developed curricula or training modules (for example curriculum developed by WV Foundation for Rape Information and Services or the WV Coalition Against Domestic Violence) which should include at a minimum: dynamics of victimization, trauma informed care and the effects of trauma on the victim; dynamics and legal issues of stalking; dynamics and legal issues of domestic violence; and collaborative and multidisciplinary response to domestic violence, sexual assault, stalking, and dating violence crimes. Special emphasis should be placed on criminal and civil justice system personnel training (judicial, administrative law judges, prosecutors, law enforcement, legal aid, state bar, etc.)

**Objective B:** Continue coordinated community response training to law enforcement officers from the entire state using approved content and training teams composed of a multidiscipline approach which should include law enforcement officers, victim advocates, other community advocates (for example, the Community of Aging or Disability Agency) and prosecutors/attorneys.

**Objective C:** Support annual training to improve coordinated community response for Sexual Assault Response Teams (SART). Recommend funded STOP Teams to include existing Sexual Assault Response Team members as part of their STOP Teams.

**Objective D:** Support the efforts of the West Virginia Coalition Against Domestic Violence and the West Virginia Foundation for



Rape Information and Services in training Adult Protective Service Workers on the issues of Elderly Abuse.

**Objective E:** Use STOP VAWA funding, along with other funding, to increase training on the appropriate authorization and use of sex crime kits.

**Objective F:** Support and increase the efforts of the West Virginia Foundation for Rape Information and Services to train statewide multidisciplinary groups (advocates, law enforcement, prosecutors, medical professionals, etc.) on sexual assault and stalking issues. Regional trainings should be offered when possible.

**Objective G:** Provide training and resources to train victim advocates, law enforcement, prosecution, and court staff on human trafficking and the use of T and U Visas.

**Goal 3: Develop and/or increase effective responses to the needs of victims of domestic violence, sexual assault, dating violence, and stalking in underserved communities and cultural and linguistic populations.**

**Objective A:** Expand services and resources for underserved populations, including people with disabilities; people in later life; racial and ethnic minorities; victims who live in isolated, rural areas; victims with language and cultural barriers; prostitutes, the homeless victims, victims in correctional facilities, and victims who are Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ).

**Objective B:** Build the capacity of domestic violence and sexual assault service agencies to provide educational and direct victim services to victims on college and university campuses.

**Objective C:** Encourage community-based programs and service providers, faith-based communities, and colleges and universities to coordinate and integrate their services for victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective D:** Encourage local service providers and criminal justice agencies to identify and collaborate with community based organizations that provide community and/or victim services to linguistic and culturally specific communities/populations.

**Objective E:** Continue to support telephonic interpretation or language lines in order to provide better services to victims of domestic violence, sexual assault, dating violence, and stalking.



**Objective F:** Use STOP VAWA Funding or other funding to provide for resources on immigration issues which are translated in languages other than English.

**Objective G:** Continue training on cultural diversity to all STOP Teams.

**Objective H:** Continue the development and implementation of a school guideline for responding to dating violence.

**Goal 4: Increase prevention and public awareness of services available for domestic violence, sexual assault, dating violence, and stalking victims.**

**Objective A:** Maintain and update, on a yearly basis, a service directory of available service providers for victims of violence available on-line.

**Objective B:** Increase prevention and public awareness through community forums, educational programs, public advertisements, and distribution of materials. Ensure resources and materials are updated on a bi-yearly basis, if needed.

**Objective C:** Develop and distribute domestic violence, dating violence, sexual assault, and stalking public awareness materials to address the needs of underserved populations.

**Objective D:** Provide prevention and public awareness of dating violence; which may include domestic violence, sexual assault, and stalking issues at the college and high schools levels.

**Objective E:** Expand awareness of domestic violence, sexual assault, dating violence, and stalking issues statewide throughout the criminal justice system.

**Goal 5: Increase collaboration and communication among systems, agencies and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.**

**Objective A:** Continue the work of the West Virginians Against Violence Committee to oversee the Violence Against Women Act Program and the Victims of Crime Act Program; update the Committee on issues and changes in the Victim Services field, in order to foster increased collaboration and communication among systems, agencies, and organizations in their coordinated response



to victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective B:** Continue the work of the STOP VAWA Collaborative Committee to review the STOP Implementation Plan and other issues which address domestic violence, sexual assault, stalking, and dating violence crimes, and to foster increased collaboration and communication among systems, agencies, and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.

**Objective C:** Sustain and support the central work of the existing STOP teams and STOP funded statewide projects that meet or exceed their projected goals; ensure they are in compliance; that they provide a true victim centered approach, and they can show they are providing quality and effective services.

**Objective D:** Increase the participation of non-traditional service providers in coordination with current STOP Teams, in order to provide a more varied and encompassing community response with a victim centered coordinated approach and additional resources being made available on a statewide and local level beyond the traditional criminal justice, court and victim service participants. (I.e. defense attorneys, child protective services, disability service providers, emergency medical services, faith-based community, substance abuse, immigration services, state legislature, legal services, adult protective services, mental health providers, community corrections, education professionals, health professionals, etc.)

**Objective E:** Support increased collaboration between rural health clinics and licensed medical facilities that will conduct sexual assault examinations utilizing their own staff or the assistance of a Sexual Assault Nurse Examiner. Encourage the screening for domestic violence and sexual assault crimes among licensed medical facilities.

**Objective F:** Promote victim service providers collaboration with community corrections programs across the state to promote victim issues, including victim safety and offender accountability.

**Objective G:** Support the development of protocols that address the minimum level standards of care and response related to sexual assault victims and ensure that the Criminal Justice System, Victim Services, and Medical Facilities adhere to these protocols.



**Objective H:** Assist programs with the development of plans for transition or change of leaders, project directors, advocates, and/or elected prosecutors in the victim assistance field in order to ensure the integrity of the team approach.

**Goal 6: To strengthen and expand STOP Violence Against Women Act (VAWA) programs through targeted legislation, identifying new funding sources, coordination and overall system improvement in this area.**

**Objective A:** Engage key stakeholders in a statewide planning process to reduce and prevent violence against women. Acquire specific recommendations from stakeholders.

**Objective B:** Seek additional funding sources necessary to meet policy requirements, direct services to female victims and their children, and training needs to effectively prevent and respond, in a multi-disciplinary manner, to violence against women crimes.

### **Major Shifts in Direction**

Compared with the former STOP Implementation Plan, this plan reflects many of the same areas of need such as: coordinated responses, training, expanded victim services, public awareness, and expansion of outreach and services to underserved populations.

However, five major shifts in direction will take place in the next three years. The five major shifts include the following:

- Increased focus on providing training and services for sexual assault victims across disciplines.
- Increased focus on victim-centered training for professionals responding to and serving, respecting victims, and upholding rights of victims of domestic violence, sexual assault, dating violence, and stalking.
- Increased training on Human Trafficking and T and U Visas.
- Increased focus on underserved population which include elderly, and LGBTQ victims and victims with disabilities.
- Increased accountability of the teams (in protocols and training content) to ensure that victims' needs are effectively and compassionately addressed.



## Emerging Issues

In October 2013 the STOP Implementation Plan Focus group met and attendees brainstormed about issues, areas of need, strengths and weaknesses as they pertain to domestic violence, sexual assault, dating violence, and stalking crimes in West Virginia, many of these ideas were incorporated into the goals, objectives, and areas of greatest need sections of this plan. Other ideas are discussed here because they may not fall within the scope of the West Virginia's current funding plan; however, WV STOP Teams and funded agencies are encouraged to coordinate with other entities, which may be interested in pursuing the following recommendations/issues:

- Increased access to victim centered information. Information needs to be available electronically to meet the needs of the increasing numbers of people in the population that utilize the internet and other electronic media
- Increase distance learning opportunities. Training on domestic violence, sexual assault, dating violence, and stalking issues need to be available in a variety of venues, especially for Sexual Assault Nurse Examiners and other disciplines that currently require significant classroom time and do not have the flexibility or staff to attend in-person trainings
- Victims with disabilities. West Virginia has a significant portion of the population with disabilities. Targeted outreach for this population needs to be developed and implemented across the state
- Data collection needs to be improved on the criminal justice system level on stalking and dating violence crimes
- More counselors available in rural areas for victims
- More training on investigation and preventing internet crimes, especially stalking
- Funds for transportation for victims to court, services, etc.
- Training on victims with mental health issues and how to provide better services
- Training and services for victims with substance abuse issues
- Resources and economic assistance in order to empower victims



- More training for law enforcement on determining the predominate aggressor, interviewing techniques in order to prevent dual arrests, and to develop strategies for evidence collection in order to support evidence based prosecution
- Increase collaboration and coordination of services, resources, and information
- Increase information provided on cultural diversity across disciplines
- Assessing how STOP Teams are providing the following as a “true Team effort:” outreach, culturally competent services, working as a team, providing services, and cross training
- Specialized training for court personnel
- First responders need Victim Centered training
- Training on the importance of enforcing payment of restitution to victims in order to promote empowerment of victims
- Expand the availability of training opportunities for facilitators of Batterer Intervention and Prevention Programs (BIPPS) classes, so the programs have qualified facilitators and meet licensure standards.

## Activities that May Compromise Victim Safety

Because of the overall purpose of the program is to enhance victim safety and offender accountability, grant funds may not be used to support activities that compromise victim safety and recovery. The following activities have been found to jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions:

- Procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived: age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, relationship to the perpetrator, or the age and/or gender of their children.
- Procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services;



- Offering perpetrators the option of entering pre-trial diversion programs or placing batterers in anger management programs;
- Requiring mediation or counseling for couples as a systemic response to domestic violence or sexual assault, or in situations in which child sexual abuse is alleged;
- Requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- Relying on court-mandated batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behavior; or
- Supporting policies or engaging in practices that impose restrictive conditions to be met by the victim.
- Not practicing a “Victim Centered Approach” when working with victims and/or training victim service providers. A victim centered approach is defined as follows:
  - A systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner. A victim centered approach seeks to minimize re-traumatization associated with the criminal justice process by providing support to the victim, empowering the victim/survivor and providing them the opportunity to play a role in seeing their offender brought to justice. In a victim centered approach, the victim’s wishes, safety and wellbeing take priority.
- Failure to conduct safety planning with victims.
- Policies or practices that discourage prosecutors from accepting cases for victims who do not have physical evidence of domestic violence or sexual assault.

## Confidentiality and Victim Safety

Programs must ensure the safety of victims and their families by protecting the confidentiality and privacy of persons receiving services. Programs may not disclose any personally identifying information (name, address, other contact information, social security number, date of birth, racial/ethnic/religions identity, or any other combined information that would serve to identify an individual) without the informed, written, reasonably time-



limited consent of the person (or guardian in the case of a minor or disabled). Consent release cannot be given to an abuser of the person.

In the event that release of information is compelled by statutory or court mandate, programs must make reasonable attempts to provide notice to victims affected by the disclosure of information and take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

## Definitions

The following STOP VAWA related definitions have been revised, effective with the VAWA Reauthorization Act of 2005:

1. **Violence Against Women Crimes** - now includes dating violence, as well as domestic violence, sexual assault and stalking.
2. **Community-based Organization** –The term means an organization that:
  - (A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
  - (B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
  - (C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or
  - (D) Obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.
3. **Linguistically and Culturally Specific Services** – means community-based services that offer **FULL linguistic access and culturally specific services and resources**, including outreach, collaboration, and support mechanisms primarily directed toward underserved communities. The term also relates to the community-based organizations and describes the kinds of services such groups would offer to overcome obstacles to access to more traditional services. This also means that mainstream programs that have a goal of serving underserved populations must ensure that they offer full linguistic access and culturally specific services. *For example, if a program has translated a brochure, then it should be able to provide all other services in that same language.*
4. **Cultural Competency** - refers to an ability to interact effectively with people of different cultures. Cultural competence comprises four components: (a) Awareness of one's own cultural worldview, (b)



Attitude towards cultural differences, (c) Knowledge of different cultural practices and worldviews, and (d) cross-cultural Skills. Developing cultural competence results in an ability to understand, communicate with, and effectively interact with people across cultures.

5. **Personal Identifying Information** - The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—
  - (A) a first and last name;
  - (B) a home or other physical address;
  - (C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
  - (D) a social security number; and
  - (E) Any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (A) through (D), would serve to identify any individual.
6. **Rural Area or Rural Community**.—The term means:
  - (A) any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget; or
  - (B) any area or community, respectively, that is:
    - (i) within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area; and
    - (ii) Located in a rural census tract.
7. **State Sub-grantee:** This refers to an eligible State Agency or eligible State Coalitions.
8. **Underserved Populations**. — refers to individuals or communities who are subject to various barriers that deny or limit access to quality advocacy and services. Includes populations underserved because of geographic location, underserved racial and ethnic populations, and/or populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age). Other examples: religious/cultural, illness/disease, sexual orientation, and education/literacy.
9. **Victim Services or Victim Service Provider**.—The term 'victim services' or 'victim service provider' means a nonprofit, nongovernmental organization that assists domestic violence, dating violence, sexual assault, or stalking victims, including rape crisis



centers, domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

10. **Victim Advocate** — means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a victim services program.
11. **Victim Assistant.**— means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a court or a law enforcement or prosecution agency.
12. **Victim Centered Approach** – Is the systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner. When using this approach a programs seeks to minimize the re-traumatization associated with the criminal justice process by providing support, empowering survivors as engaged participants in the process. In a victim centered approach, the victim's wishes, safety and well-being take priority in most matters and procedures.
13. **Youth** - means teen and young adult (11 to 24) victims of domestic violence, dating violence, sexual assault, or stalking.
13. **Elder Abuse** – means any action against a person who is 50 years of age or older that constitutes the willful  
(A) Infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or  
(B) Deprivation by a person, including a caregiver, of foods or services with intent to cause physical harm, mental anguish, or mental illness.

## **Certification of Eligibility Requirements**

Subgrantees must be able to demonstrate compliance with the following requirements:

- Laws or official policies: 1) encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed, and 2) encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protections order.
- Laws, policies, or practices and training programs discourage dual arrests of offender and victim.



- Laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses/partners file a claim and the court makes detailed findings of fact indicating that both spouses/partners acted primarily as aggressors and that neither spouse/partner acted primarily in self-defense.
- Laws, policies, or practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, dating violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state or local jurisdiction.
- Laws, policies, or practices concerning forensic medical examination payment for victims of sexual assault, ensures: 1) a governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault, and 2) it will not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.
- Judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws.
- Laws, policies, or practices ensure that no law enforcement officer, prosecuting officer or other government official shall: 1) ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, state or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense, and 2) the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state or unit of local government.

All funded agencies and staff must be Victim Centered and ensure Victims are informed and ensured of their rights.

## Eligible Applicants

In order to be eligible for STOP VAWA funds, programs must meet the following requirements:



1. A team must be formed that includes at a minimum: a law enforcement officer, a prosecutor and a private non-profit, non-governmental victim service provider in order to improve the criminal justice system's response to domestic violence, sexual assault, stalking and dating violence. The team may include other agencies in the team area that wish to participate. Only one Team per county will be funded. All teams are encouraged to include a member from a faith-based and a cultural/linguistic specific group/organization. All STOP Teams are required to have at least one goal/objective for the whole core team; whether all core members are funded or not.
2. Programs must be operated by a public agency or a private non-profit organization which is a 501(c) (3) and is in good standing with Auditor's and Secretary of State's Office. However, a private non-profit organization that only provides occasional counseling or services to victims or whose sole purpose is to provide advocacy to the legislature for victims of crime would not qualify for eligibility.
3. The STOP VAWA requires that each state must distribute their grant funds each year in the following manner: At least 30 percent to victim services programs (*of which 10 percent must be distributed to linguistically and culturally specific community-based organizations*), 25 percent must be allocated to law enforcement, 25 percent to prosecution, 5 percent to state or local courts, with the remaining 15 percent allocated as discretionary. This is a statutory requirement. These allocations may not be redistributed or transferred to another funding allocation area (with the exception of the discretionary funds, which can be used to supplement other allocation areas) States must set aside 20% for projects which meaningfully address sexual assault across at least two of the allocations (victim services, law enforcement, prosecution and courts).

Victim service provider is defined as a nonprofit, nongovernmental organization, tribal organization, or rape crisis center, including a State and tribal coalition, domestic violence shelter, faith-based organization, and other organization that assists or advocates for victims of domestic violence, dating violence, sexual assault, or stalking. Non-profit, non-governmental organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking are eligible to apply for the portion designated for nonprofit, nongovernmental victim serves. Any entity that is eligible for a STOP Formula sub-grant based on its status as a nonprofit organization must be an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code. See 42 U.S.C. § 13925(b) (16) (B).



Community-based organizations (as defined by VAWA) that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward racial and ethnic minority communities and who have a documented history of effective work with those communities are eligible to apply for the portion designated for culturally specific organizations. Additionally, to be eligible for this funding category you must meet the following criteria:

- (A) Focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
- (B) Has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
- (C) has a primary focus on racial and/or ethnic minority populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; **or**
- (D) Obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration and training;  
**and:**
- (E) is primarily directed toward racial and ethnic minority groups; **and**
- (F) is providing services tailored to the unique needs of that population.

Governmental victim services programs contracting with non-profit organizations are eligible to apply for the portion designated for nonprofit, nongovernmental victim services.

Rape crisis center that, among other things, includes governmental entities in States (but not territories) as long as they are not part of the criminal justice system and offer a level of confidentiality comparable to that offered by a nonprofit entity that provides similar services.

Governmental victim services programs attached to a law enforcement agency or a prosecutor's office may apply for the portions of funds designated for law enforcement or prosecution.

Governmental victim services programs that are not connected to a law enforcement agency or a prosecutor's office and are not considered nonprofit organizations may apply for funding through the



portion designated as discretionary. With the exception of a victim services program attached to a probation office, which would be eligible to apply for the portion of funds designated for state or local courts or those designated as discretionary.

4. Programs shall promote a **victim-centered approach** within the community or region served, coordinated public and private efforts to aid crime victims. Because various kinds of services needed by victims of crime are usually provided by a variety of agencies, it is important that these services be coordinated to ensure continuity of support to the victim and to avoid duplicating services.
5. Programs shall assist victims in seeking available crime victim compensation benefits through the West Virginia Court of Claims. Programs will identify and notify potential recipients of the compensation program and assist them with the compensation claim forms.
6. Programs must be able to identify and describe the underserved population(s) within their locality and how the population(s) will benefit from the STOP VAWA related services. These underserved populations must be expanded beyond domestic violence, sexual assault, stalking and dating violence victims. For example, an underserved population could be LGBTQQ, or People of Color victims, disabled victims of all the above referenced crimes.
7. Programs must be able to describe how they plan to address the needs, including access to programs, services and information, of populations of individuals whose primary language is not English.
8. Programs must be able to describe in detail a plan of sustainability of the program in the event that STOP VAWA funds were to be relinquished. The plan should illustrate the willingness and capacity to continue the program after STOP VAWA funds are no longer available. Programs do not discuss the fact that without STOP VAWA funds the program would not exist.
- 14.9. State Agencies/Organizations are also eligible for STOP VAWA funds as long as the proposal meets at least one of the Federal and State Program Purpose Areas. Statewide initiatives do not require a Team application; however, an advisory committee made up of at least a non-profit, non-governmental victim services, prosecution and law enforcement is required. **State Sub-grantee:** This refers to an eligible State Agency or eligible State Coalitions.



Additionally, State law enforcement, prosecution, and court applicants are required to consult with State and/or local victim service programs during the course of developing their applications in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence. This is a requirement of the grant application.

10. All sub-grantees are required to develop and implement client surveys for evaluation (of the services provided) purposes. All survey/evaluations must ensure client confidentiality. All STOP Teams will be required to evaluate the effectiveness of the STOP Team. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented.
11. Faith-based Organizations: Such organizations receiving VAWA funds must ensure that services are offered to all victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event. They must ensure it doesn't use Federal funds to conduct religious activities such as prayer, religious instructions, or proselytization and that these activities are kept separate in time and place from federally funded activities.
12. Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, age, and sex in the delivery of services. All funded programs will post and include in their materials that in the delivery of services they do not discriminate on the basis of race, color, religion, national origin, age, and sex. This entity will send all adverse findings of discrimination within the last three years to the Office for Civil Rights to the following address:

Office for Civil Rights  
Office of Justice Programs  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

Grantees should post information for victims and staff which state where they can contact the Office for Civil Rights:

Office for Civil Rights  
P.O. Box 1789  
Charleston, WV 25326  
(304) 558-0546



## STOP Team Guidelines

The West Virginians Against Violence Committee has implemented minimum guidelines for all VAWA funded STOP Teams.

Teams must adhere to the following requirements:

- a. Membership of the STOP Team **must** include a non-governmental non-profit victim service provider, law enforcement officer, and prosecuting attorney, regardless of whether those positions are STOP funded. These three entities are known as the “core” members. They are required to have at a minimum one goal/objective for the core team in their application.

In the event that your county has both a WV Family Protection Services Board (WVFPSB) licensed domestic violence program and a WV Foundation for Rape Information & Services (WVFRIS) member sexual assault program, then a representative from each program must be a part of your Team and will be considered core members.

In the event that **more** than one law enforcement agency receives funding, then a representative from **each** of those departments must be represented on the Team and is also considered a core member. The same requirement is true for victim service agencies or any other agency/organization receiving STOP funds.

If a STOP Project includes a cultural specific organization component, then a representative from the funded organization must also be included and is also designated as a core member.

- b. The Team must meet on **at least** a quarterly basis (within the grant period which begins July 1<sup>st</sup> and ends June 30<sup>th</sup>) and copies of the agenda, sign-in sheet, and meeting minutes must be documented and submitted to DJCS with appropriate monthly progress reports. All STOP Teams will be required to have a meeting to discuss the requirements, budgets, and special, standard and supplemental requirements of the grant (this should be completed no later than August). Also, required is to meet to discuss and develop the next year's grant application. It may be required to have other meetings during the grant period
- c. **All** core members must have **active** participation and **regular attendance** at Team meetings. A high level of **commitment** from all core members to work collaboratively must be demonstrated. If



a core member cannot attend they may have another person attend in their place. For example, if a Prosecutor cannot attend another prosecutor or assistant prosecutor should attend in their place. (Prosecutor's key personnel, investigators, or advocates cannot attend in the prosecutor's place).

- d. Maintain a Team protocol for Law Enforcement, Prosecution and Victim Services response to domestic violence, sexual assault, stalking and dating violence crimes. Regular reviews and necessary revisions should be an on-going process. *Note: All Protocols must include each core member's response to the new Firearms Law of Firearm removal and storage; and a response to law enforcement officers who are perpetrators of domestic violence, sexual assault, stalking and dating violence crimes.*
- e. The application (which includes Goals and Objectives), Team protocol, and required reports must have input from all core members. These three topics should be recurring topics at STOP Team meetings. The application will require documentation showing all members participated in the development of the application. The goal of STOP Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and non-governmental agencies to restructure and strengthen the Criminal Justice system response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to address this complex problem.

All components of the application apply to the entire Team, whether all entities are STOP funded or not.

All required paperwork must be completed in a timely and thorough manner.

- f. Application, protocol, membership, and meeting topics must address all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking) and should ensure victim confidentiality at all times.
- g. A Team evaluation or feedback process must be implemented and maintained throughout the grant period to assist in measuring the Team's effectiveness and to identify need and gaps in service. This should also be a continuing topic at Team meetings.
- h. Team must keep current on all local, state, and federal laws and policies related to violence against women crimes. (For example,



the changes in the 2007 legislative session regarding forensic medical exams and polygraph prohibition for sexual assault victims and the changes in the 2008 legislative session regarding stalking.)

- i. Must develop and implement policies/practices regarding victim confidentiality and information sharing that meets the VAWA 2005 and 2013 requirements.
- j. All funded staff are required to attend eight hours of training within the grant period on pre-approved VAWA related training. If Law Enforcement overtime is funded for a law enforcement agency, then at least one officer from that agency must attend eight hours of training.
- k. Ensure all agencies are practicing a "Victim Centered Approach".

Teams are strongly encouraged to comply with the following recommendations:

- a. Other community and criminal justice organizations are encouraged to be part of the STOP Team, such as local community corrections programs, probation office, faith-based programs, local hospital/medical personnel, mental health programs, school Prevention Resource Officers (PRO), legal aid programs, human services agency/organization, and the humane society/officer.

Membership on the STOP Team should broadly be representative of the community served (geographic, ethnic, race, gender).

- b. In circumstances where there is a victim advocate in a law enforcement agency or a prosecutor's office. Then both the advocate and a law enforcement officer or the advocate and a prosecuting attorney should be a member of the STOP Team. **However, as indicated above, an officer and a prosecutor are required.**
- c. Include community agencies and individuals (both those that are part of the STOP Team and those who are not) in the evaluation of the Team and Team process. Examples: Judges, victims served, law enforcement officers, probation officers, victim advocates, prosecutors, health professionals, etc.
- d. Conduct training/education events throughout the year. This can be done with 20-30 minute workshop/sessions at each STOP Team meeting.



- e. Focus training, education, awareness, and services on community collaboration and include more cross-training events.
- f. Evolve new leadership on the STOP Team. Leadership/officers should be re-evaluated and reconsidered each year.
- g. Constantly review and evaluate membership and add/change members as needed. Team members should be willing and active participants.

## Guidelines for STOP Team Protocol

The following guidelines have been implemented as a minimum requirement for each Team's STOP VAWA Protocol:

- a. Must address the Team's response to all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking). *Include Firearms removal/storage information. Also include protocol for law enforcement agencies protocol for law enforcement officers involved with domestic violence, dating violence, sexual assault and stalking crimes.*
- b. Each core discipline (victim services, law enforcement, and prosecution) must have their own component, which address the response to all four crimes (domestic violence, sexual assault, stalking and dating violence). *Note: Other disciplines are encouraged to have their own components as well (i.e. 911 centers, local medical facilities, etc.) If a program is requesting funds for the cultural specific organization component, it is then considered a core discipline and must be included in the protocol.*
- c. Protocol must address and answer the following questions:
  - 1. Who provides response/service at the following stages?
    - Pre-investigation
    - Investigative
    - Prosecution
    - Re-Entry/Aftercare
  - 2. What response/service is provided at each of these stages?
  - 3. How is the response/service coordinated?
- d. Protocol must include a section addressing each of the following components:



1. Description of the policies in place for law enforcement officer involved (perpetrated) in domestic violence, sexual assault, stalking and dating violence cases. How does the team respond when a law enforcement officer is accused of dating violence, domestic violence, sexual assault and/or stalking?
  2. Mechanism(s) the Team uses to ensure compliance with the protocol? (Example: checklist, survey, etc.)
  3. Description of how the Team measures effectiveness of the established protocol? (Examples: case specific review, periodic self-evaluations, victim surveys, community surveys, criminal justice agency surveys, etc.)
- e. All Team members must review and evaluate the Protocol on at least an annual basis. Any revisions should be submitted to DJCS with the corresponding monthly report.
- f. Team members agree to keep current on all local, state, and federal laws, guidelines, and regulations pertinent to violence against women crimes and to appropriately address those laws in the established protocol. Including, but not limited to, the following:
- Federal, state, and local firearms prohibition for domestic violence offenders.
  - WV polygraph prohibition for sexual assault victims.
  - WV stalking law revisions.
- g. Team agrees to ensure that victim safety is top priority of the protocol and to avoid implementation of any policy, procedure, or process that could compromise the safety of victims of violent crimes against women.

## Funds to Faith-based Organizations

Faith-based organizations will be considered for funding on the same basis as any other eligible entity and, if funded will be treated on an equal basis with all other subgrantee agencies in the administration of awards. No eligible applicant will be discriminated for or against on the basis of its religious affiliation.

Faith-based organizations receiving Department of Justice (DOJ) funds retain their independence and do not lose or have to modify their religious identity. **However, DOJ funds may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program.** Further, participation in such activity by individuals receiving services must be voluntary.



## Eligible Services and Activities

Violence Against Women funds shall be used only to provide services to victims of domestic violence, sexual assault, stalking and dating violence crimes and must fit under one or more of the VAWA Purpose Areas. "Services to victims of crime" means those activities that directly benefit individual crime victims, including the required coordination of such activities, i.e., coordination of volunteers and/or coordination of public and private efforts to aid crime victims. Activities unrelated or only tangentially related to the provision of direct services to victims are not eligible for support. All sub-grantees are bound by their approved budget and changes to that budget requires a request from the sub-grantee to DJCS and approval from DJCS **prior** to reimbursement.

Services to victims of violent crimes against women include, but are not limited to, the following:

1. Direct-Service Staff -- A portion of a team VAWA grant is allocated for covering salaries or portions of salaries and benefits (benefits may include FICA, Workers Compensation, Unemployment, Insurance, and retirement) for staff members who are providing direct services to domestic violence, sexual assault, stalking and dating violence victims, such as therapists, counselors, and victim advocates. Administrative salaries such as for an executive director, fiscal officer, or clerical staff, can only be funded up to 10% of their time and must be documented to ensure that time is spent for VAWA activities.
2. Crisis Intervention Services that meet urgent emotional and physical needs of crime victims. Crisis intervention may include support, guidance and counseling provided by counselors or mental health professionals in the immediate aftermath of a crime, crisis or trauma. It may also include the operation of a 24-hour hotline that provides counseling or referral for crime victims.
3. Counseling and Therapy which assist victims in dealing with their victimization beyond the services provided in the immediate aftermath of a crime, crisis or trauma. Therapy refers to specialized psychological or psychiatric treatment for individuals, couples, and family members. Counseling refers to mental health services which involve providing support and guidance to victims. Immediate family members are also eligible to receive service if the crime victim will benefit from such services. Immediate family members: a) the parent and/or legal guardian of a victim under 18; b) siblings of a crime victim; c) the spouse of the victim; and d) the children of



crime victims. There is a cap of \$10,000 per application for contractual services, such as counseling and therapy sessions.

4. Support Services may include reassurance and empathetic listening and guidance for resolving practical problems created by the victimization experience; providing employment counseling; acting on the crime victim's behalf via other social services and criminal justice agencies; and referral to other sources of assistance as needed.
5. Emergency Services -- Provide accompaniment/transportation to hospital and police station; provide temporary shelter for crime victims who cannot safely remain in their current lodgings; or provide crime victims with vouchers for meeting immediate needs related to transportation, food, medicine, shelter, and other necessities. This is to be used for emergency situations only and should not last more than one week. Documentation is required and must be to treat, provide services and for safety which relates to the victimization.
6. Group Treatment refers to supportive group activities, as well as psychotherapeutic group treatment. This may include peer support, social support, and drop-in groups. **Must meet state or federal requirements for licensing.**
7. Court-Related Services refers to services which assist victims of sexual assault, domestic violence, dating violence and stalking crimes in participating in criminal justice proceedings including advising victims of their legal rights, providing information regarding police investigation and explaining prosecution and court procedures; assisting victims with the preparation of victim impact statements; maintaining an on-call service and information system to apprise victims of appearances at court proceedings; advising victims of post adjudication notices of parole board and probation hearings and notice of offender release, etc.; assisting in filing temporary restraining orders, injunctions, and other protective orders, elder abuse petitions and child abuse petitions; accompanying a crime victim to court; providing child care services for crime victims while they participate in essential court proceedings; providing transportation to and from court; and providing emotional support to victims during a trial. This does not include the employment of private attorneys.
8. Community awareness activities that describe direct services available to women and how to obtain a program's assistance (such as pamphlets, brochures, and posters) are eligible to be



funded out of VAWA funds. Brochures or pamphlets outlining general information, such as about rape or domestic violence, may be funded out of VAWA funds if the agency's name, phone number, the federal grant language, and a description of services are also printed on the brochure or pamphlet. This requires pre-approval from DJCS **prior** to printing and billing.

The brochures, pamphlets, and posters **must** contain a statement reflecting that the printing costs of these brochures, etc., were covered by a U.S. Department of Justice Violence Against Women Act (VAWA) grant awarded by the Division of Justice and Community Services.

9. Rent -- A sub-grantee may charge or prorate a reasonable cost of rent for a VAWA-funded project. The sub-grantee shall certify in writing that the requested rental charge is consistent with the prevailing rate in the local area.
10. Training -- A subgrantee may include as a small portion of a grant the reasonable cost of staff development for those persons (salaried and volunteer staff) who provide direct services to victims of sexual assault, domestic violence, dating violence and stalking crimes. Please note all approval for any training must be approved by the Division of Justice and Community Services **prior** to attending any training by submitting to DJCS a written request for training approval, along with an agenda which explains the purpose of the training and workshops.

VAWA funds may be used for workshop/conference registration fees, mileage, meal reimbursement, and lodging expenses for In-State Training and Out-of-State Training in accordance with and State Travel Regulations. VAWA funds may not be used for continuing education credits. This means that a staff member can attend a training (if approved by DJCS) at which CEU credits are offered. However, VAWA funds would not cover the costs of the CEU credits but would cover the registration costs and related travel, meals, and lodging expenses.

VAWA funds can also be used to host in-state violence against women related training events. All training events, agendas, contracts, and speakers must be **pre-approved** by DJCS 90 days **prior** to the scheduled training. Speaker fees may not exceed the \$450/day federal rate unless DJCS receives approval from OVW prior to the training. All sub-grantees using STOP VAWA funds for training events must follow all OVW requirements for conferences and trainings.



11. Travel -- A sub-grantee may include as a small portion of their grant necessary and reasonable travel expenses relating only to providing direct services to victims, such as transporting victims. Direct service staff and volunteers would be reimbursed in accordance with State Travel Regulations,

Travel expenses associated with administrative costs, such as making bank deposits, delivering and picking up mail, and attending meeting or general speaking engagements would not be allowable expenses under the VAWA grant.

12. Audit costs -- All grant recipients which are required to have agency-wide audits and meet the threshold of the Uniform Guidelines Part 200 may use VAWA funds to reimburse for a portion of the audit expense (no more than 2 percent of the grant award). Required audits are to be performed on an organization-wide basis as opposed to a grant-by-grant basis, and must be performed annually pursuant to the OMB Uniform Guidelines Audits of State and Local Governments, and Audits of Institutions of Higher Education and Other Nonprofit Institutions. **If not required to conduct an audit a financial review must be completed; approved by the governing board and submitted to DJCS.**
13. Printing and Postage -- VAWA funds may be used to cover reasonable costs for printing and distributing brochures, pamphlets, posters, and similar announcements describing a program's victim services and how to obtain a program's assistance, and similar public notification efforts intended to recruit volunteers.
14. Advertising -- VAWA funds may be utilized to advertise a program's victim services, such as newspaper ads in the purpose of community awareness of services. It is also allowable to use VAWA funds to cover costs for advertising staff position openings, such as for VAWA staff. It would not be allowable to allocate an entire VAWA grant for advertising victim services.
15. Counseling/Educational Materials -- VAWA funds may be utilized to purchase materials necessary in counseling victims, such as books, tests, psychological testing materials, materials used to train volunteer staff, etc.
16. Crisis Hotlines, Telephone costs which are necessary and reasonable in providing crisis intervention services, such as emergency counseling or referral for crime victims, may be allowable from VAWA funds. For instance, if a VAWA project used



one of an agency's four telephone lines for sexual abuse services, it would be reasonable to charge a VAWA grant \$50 a month out of a \$200 a month telephone bill.

17. Office Supplies -- Reasonable supply costs in operating the VAWA program, such as files for setting up case records, Xerox paper for copying brochures or general information relating to direct services to victims, letterhead, envelopes, and postage for mailing direct service information to victims are allowable. A portion of general office equipment that is necessary and essential to the delivery of direct service may also be allowable. The total office supplies/equipment for a program could not be charged to the grant. *Please be aware the West Virginians Against Violence Committee has set the following guidelines for computer purchases: \$1,000 cap per computer, limited to only one computer per project (unless more than one can be purchased for the \$1,000), and computers can be requested to be purchased every three years. Supplies such as ink pens, etc. which have the extra cost of including the agency name and other information will not be reimbursed.*  
These costs for supplies must be pro-rated; for example if a funded staff is at 50% of their time you can only charge up to 50% of costs for supplies.
18. Law Enforcement Officers -- The cost of salary, benefits and/or overtime of a police officer who is dedicated to a domestic violence unit or sexual assault investigative unit. There is a cap of \$25/hour (or \$26,000) on VAWA funds to be awarded for the salary of dedicated law enforcement officers under the grant program (this does not necessarily include fringe benefits). It is not allowable to supplant state funds with federal funds and may require backfilling of a position.
19. Prosecutors -- The cost of salary and benefits for an assistant prosecutor who would be dedicated to the prosecution of domestic violence and/or sexual assault cases. Prosecution support services, such as overseeing or participating in statewide or multijurisdictional domestic violence task forces, conducting training for local prosecutors or enforcing victim compensation and domestic violence related restraining orders shall be considered "direct responsibility" for purposes of this program. There is a cap of \$25/hour (or \$26,000) on VAWA funds to be awarded for the salary of dedicated prosecutors under the grant program (this does not necessarily include fringe benefits).



21. Assessment -- Project that would assess the effectiveness of the project in order to improve the services or responses to victims of domestic violence, sexual assault, stalking and dating violence crimes.
22. Data collection -- The development and improvement of data collection and communications systems linking police, prosecutors, and courts or for purposes of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions.

**NOTE: Nothing in the VAWA Act shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under the Act; however, the Act does not require the funding of male-only programs with VAWA funds.**

### Ineligible Services or Activities

The following categorical guide can be used as an aid in determining unallowable costs:

1. Projects that are unrelated, or only tangentially related, to the provision of direct services to victims are not eligible for VAWA funding. Agencies or organizations whose function is administrative or legislative oversight, or groups defined as coalitions where direct service is not a part of the organization's function, are also not eligible to receive VAWA funding, except for the role of overseeing statewide direct services and/or statewide training and/or information sharing initiatives that directly relate to and benefit Violence Against Women response and services.
2. Medicaid-reimbursable clients cannot also be provided services by VAWA-funded direct service staff because this is considered double billing. An agency can be billing Medicaid for victim services but they must ensure that their VAWA-funded staff are providing direct services to only those victims who are not eligible for Medicaid reimbursement.
3. Payment of costs for a forensic medical examination of a crime victim. The West Virginia Forensic Medical Examination Fund through the WV Prosecuting Attorneys Institute was established in 1996 and should be used for these costs. See Chapter 10 for details.
4. Lobbying, Legislative and Administrative Advocacy -- Lobbying for particular victim legislation or administrative reform is an ineligible activity.



5. Fundraising is an unallowable expense.
6. The purchase of liability insurance policies.
7. The repair of buildings and improvements to shelter.
8. Witness Management or Notification Programs -- Victim/Witness programs which provide both victim services and witness notification services can receive VAWA funding support only for that portion of the program that provides direct services to crime victims.
9. The payment of fees for professional services rendered by lawyers and doctors are not eligible for VAWA funding. Victims treated for crime-related injuries are encouraged to seek reimbursement for medical services from the Crime Victims Compensation Program. This provision, however, does not prohibit direct service programs from hiring staff, salaried medical/health professionals to provide services on site to clients. This differs significantly from a case by case fee-for-service type of arrangement.
10. Grant funds will not be used to support the development or presentation of a domestic violence, sexual assault, dating violence and/or stalking curriculum for primary or secondary schools. The grantee further agrees that grant funds will not be used to teach primary or secondary school students from an already existing curriculum.
11. The purchase of real estate.
12. The purchase or rental of cars, van, or other vehicles.
13. Bad debts.
14. Contingencies.
15. Contributions or cash donations.
16. Entertainment.
17. Fines and penalties.
18. Interest and other financial costs.
19. Prior obligations.



20. Under-recovery of costs under grant agreements.
21. Legislative expenses.
22. Legal or defense services for perpetrators of violence against women may not be supported with grant funds.
23. Law Enforcement overtime hours to provide security at Monitored Visitation and Exchange Centers.
24. Non-Licensed Residential Services. Residential services (services provided in a shelter) through a non-licensed domestic violence program are not eligible for VAWA funding.
25. Activities that compromise victim safety
26. Dedicated VAWA funds for perpetrator intervention/prevention programs (with the exception of funding law enforcement officer overtime to facilitate classes or including the facilitation of such classes in the job description of a VAWA dedicated law enforcement officer).
27. Political Activity
28. Grant funds will not be used to support the purchase of law enforcement equipment, including uniforms, safety vests, shields, weapons, bullets, and armory or to support chemical dependency or alcohol abuse programs that are not an integral part of a court-mandated batterer intervention program.

## Matching Requirements

Portions of funded projects must receive financial support from sources other than STOP VAWA funding (or any other Federal funding source). This is known as the matching contribution that is the statutory ratio that must be applied to the grantee as its portion of a grant. The purpose of matching funds is to augment the amount of resources available to the project from grant funds and to foster the dedication of state, local and community resources to the purposes of the project. Note: Each agency requesting funds must meet their own match.

The matching requirements are as follows:

- a. Private Non-Profit Agencies: A contribution of non-Federal dollars is **not** required for these agencies under the victim service category.



If private non-profit agencies apply for discretionary funds (or any category other than victim services) the match requirement is not waived. The standard 27% match requirement is still mandatory.

- b. Government Agencies (this includes Law enforcement and Prosecution): 27% Cash or In-Kind Match

Government agencies, as a part of the team, must provide a minimum of 27% match from other non-federal sources for their portion of the application. This match may be cash or in-kind. Matching funds are required on a project-by-project basis.

Cash Match Represents the grantee's cash outlay; money contributed to the grantee by other public agencies and institutions and private organizations and individuals. Funds received from other federal grants cannot be considered as grantee's cash match contribution.

Examples: Cash donations, United Way funds, money from fundraising activities, state grants, private foundations, etc.

In-Kind Match Represents the value of non-cash resources (services, personnel, space, equipment, or other non-cash items) which belong to the subgrantee and are committed to the VAWA-funded project; which may consist of the value of goods and services specifically identifiable to the grant program; and charges or value of real property.

Examples: Volunteer time used in aiding victims of crime; donations of food, clothing, supplies, or furniture; donation of office space used for counseling victims, etc.

Please note that if volunteer hours (which are one of the best non-cash resources) are used as match, a dollar value (a wage rate) may be assigned for the volunteer's time depending upon the type of service provided to the victim. For instance, a volunteer who transports victims may be assigned a value of \$7.25 per hour (or current minimum wage) for providing this service. If a doctor or lawyer provides some volunteer professional services, such as counseling or legal advice, their services may be assigned a value of as much as \$75.00 per hour or \$100.00 per hour depending upon their individual rates for providing professional services.

All subgrantees must maintain records which clearly show the source and amount of matching contributions (cash or in-kind) committed to the project.

## Methods for Calculating Match



The method for calculating the appropriate match for individual VAWA grants is as follows:

### Example 1

Amount of Law Enforcement Budget Page:     \$18,750  
 $\$18,750 \div .73 = 25,685$

Total Project:         \$25,685  
VAWA Funds         -18,750  
Matching Funds       \$ 6,935

### Example 2

Team Participant	Federal Funds	Match Required	Total Cost
Prosecutor's Office	22,500	8,322	30,822
Police Department	18,750	6,935	25,685
Total Funds	\$41,250	\$15,257	\$56,507

### Allowable Match:

#### Cash Match

#### Personnel/Contractual:

- Salaries/benefits: (not federally funded and is for the purpose of the VAWA grant program)
  - ❖ Documentation required: timesheets; paycheck stubs; back-up documentation for insurance and other required documentation.
- Supervision: of advocates which is directly related to serving victims (this is not a full-time position and should be pro-rated and should not exceed 30% of their time)
  - ❖ Documentation required: a memo stating who the person is and that they certify their time is spent supervising for the project; timesheets, paycheck stubs; back-up documentation for insurance and other required documentation.
- Costs incurred to advertise for personnel for the VAWA funded project.



- ❖ Documentation required: invoice, proof of payment, copy of advertisement.

#### **Travel/Training:**

- Direct Service Mileage: includes transporting victim(s) to court, medical appointments, and counseling. This may also include the advocate attending the court, MDIT meeting with the victim. **This cannot be used to attend STOP Team Meetings, SART Meetings or other community meetings.**

- ❖ Documentation required: Travel form which has the same information required on DJCS travel form, purpose for travel, two signatures, and proof of payment.

*Note: VAWA- Law enforcement may use travel costs to investigate VAWA crimes – they must provide documentation such as a travel log which includes the date and mileage, and charge at the cruiser rate which is 20 cents/mile. Also be aware if an agency is using an agency vehicle the rate is also 20 cents/mile.*

- Travel/Training: Skills training for staff which may include travel (at the state per diem rates and state regulations) and training costs, such as registration fees. BE AWARE: **ALL** trainings must be **pre-approved by DJCS** or they will not be reimbursed or used as match.

- ❖ Documentation required: Travel form which has the same information required on DJCS travel form **and two signatures**; proof of payment; registration fees will only be reimbursed if DJCS is provided proof of attendance, such as certificates or sign-in sheets and proof of payment.

- Training materials: books, manuals, etc. (no trinkets, bags, food, etc. can be used for match)

- ❖ Documentation required: invoice and proof of payment

#### **Space:**

- Telephone/Hotline/Internet: This is pro-rated and must be for the VAWA funded person (s).

- ❖ Documentation required: invoice, proof of payment and the amount charged to the grant.

- Office space: pro-rated and must be only for the VAWA funded person(s).

- ❖ Documentation required: lease agreement, proof of payment and the amount charged to the grant.

#### **Other:**



- Supplies: may include paper, ink, envelopes, postage, other office supplies which are related to serving victims (not calendars)
  - ❖ Documentation required: invoice and proof of payment and the amount charged to the grant
- Leases for office equipment: this must be pro-rated for the grant
  - ❖ Documentation required: invoice; lease agreement and proof of payment; and the amount charged to the grant.
- Furniture purchases: which is used exclusively for the VAWA project
  - ❖ Documentation required: invoice and proof of payment

### **In-Kind Match**

#### **Personnel/Contractual:**

- Volunteer hours – must be donating time to the VAWA project – this can include un-paid interns
  - ❖ Documentation required: volunteer log or volunteer timesheet (if a timesheet is used it must have the volunteer's signature and supervisor's signature) which has the date volunteered, volunteer's name, hours volunteered, and rate; this should have a certification which is signed by the project director, or the fiscal officer, or the volunteer coordinator. Volunteer rates are as follows:
    - ✚ Professionals: up to \$150/hr. A professional is defined as a doctor, licensed therapist/counselor, pro-bono attorney, etc.
    - ✚ Paraprofessional: up to \$20/hr. A paraprofessional is defined as a person who is trained to assist professionals but do not have licensure and have received extensive training and may not work regular work hours. Such as CASA Volunteers, counselors, hotline workers, etc.
    - ✚ General: up to \$10/hr. All other volunteers who do not fit the professional or paraprofessional definition.

#### **Space:** this includes donated office space

- ❖ Documentation required: a letter stating this organization provides office space at this amount per month for this agency. (This must be a fair market rate and if the advocate or person the office space is provided for is part-time it should be pro-rated for the amount of time allocated for the project). The letter should be on the agencies letterhead donating the space and should include the grant period



(June 1- July 31<sup>st</sup>), the square footage of the office space and the rate per square foot. Also be aware if a position is not filled during a period of time this **cannot** be used as match.

#### **Other**

- Donations: of expendable equipment, office supplies, workshop or classroom material, clothing, food, housing supplies.
  - ❖ Documentation required: list of donated goods, certificate stating these items are used for the VAWA project, and a fair market value of each item. All donated goods must be used in the same time as they are requested for match; for example if you are requesting this as match in October than they should have been distributed or used by October.
- Office equipment: such as a copier, fax machine etc. Provided by the agency and used for VAWA project.
  - ❖ Documentation required: DJCS Office equipment usage log; this should be pro-rated for VAWA usage only and a fair market value applied.

## **Reporting Requirements**

Subgrantees are required to constantly monitor performance under grant-supported activities to assure that time schedules are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved.

Subgrantees who are awarded STOP VAWA funds will be required to prepare and submit the following types of reports.

### **1. Financial Report**

This report must be prepared and submitted on a monthly basis and is due at the DJCS office no later than 20 days following the close of the reporting month. Attach copies of invoices, as well as, proof of payment, to verify expenditures.

### **2. Request for Reimbursement**

A copy of this form is to be submitted monthly with the Grant Financial Report for the purpose of DJCS issuing a reimbursement check. The total requested should agree with amounts listed on the Grant Financial Report. This form requires the original signature of



either the authorized official or fiscal officer of the approved grant. Additionally, this form should not be altered by the subgrantee.

3. **Progress Reports**

This report must be prepared and submitted on a monthly basis and is due no later than 20 days following the close of the reporting month. It is to include, but not limited to:

- a. Statistical data reflecting the number and types of victims served during the month.
- b. A summary completed by the VAWA-funded staff position outlining activities during the month as they related to the approved goals and objectives of the grant.
- c. Copies of minutes from the governing board, such as Board of Directors, Advisory Boards, Team Meetings, etc. STOP Team meeting minutes should be submitted with each corresponding monthly report.
- d. A monthly summary of coordination efforts among team members. Although monthly STOP Team meetings are encouraged, the grant requires Teams to meet at least on a quarterly basis.

4. **Subgrant Annual Performance Report**

This form is required of all completed projects, and reports activities based on the calendar year (January 1 through December 31). The report will be due to DJCS within 30 days of the end of the calendar year. Forms and instructions will be provided by DJCS.

5. **Other Reports**

Periodically, additional programmatic and/or fiscal information may be requested by DJCS; most often for the purpose of program evaluation and strategic planning. All VAWA funded projects will be required to provide such information upon request.

Each approved project not operational within 60 days of the approved starting date of the grant period must report by letter to DJCS the steps taken to initiate the project, the reasons for delay, and the expected starting date.

If a project is not operational within 90 days of the original starting date of the grant period, the grantee must submit a second statement to DJCS



explaining the implementation delay. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas or under extenuating circumstances, extend the project period.

## Monitoring of Funded Programs

The Division of Justice and Community Services staff will make at least one on-site visit to each grant program every other year to monitor the performance of grant-supported activities. The only exceptions to this schedule are as follows:

1. **New Subgrantees:** receive an on-site visit the initial year of funding and the following year (two consecutive annual visits);
2. **Compliance Issues:** subgrantees in which a problem is found during a site visit will receive a follow-up visit the next year;
3. **Administrative/Personnel Change:** subgrantees who experience significant administrative and/or personnel changes during a grant period may receive a scheduled on-site visit during the current or following grant year;
4. **Technical Assistance:** subgrantees may request a technical assistance visit during a grant period or DJCS may determine a technical assistance and on-site monitoring visit is necessary.

The purpose of the on-site visits and self-reports is:

1. Determine progress made toward achieving project objectives;
2. Determine compliance with terms, conditions, and purpose of grant;
3. Identify technical assistance needs; and
4. Provide guidance of future design or funding of similar projects.

Additionally, DJCS will require a self monitoring report for all programs which receive funds but are not visited on-site during a grant period. These forms will be mailed to the Project Directors with instructions and will be due no later than June 1 each grant year.

All sub-grantees are required to have Data Universal Numbering System (DUNS Number) you may obtain this by calling 1-866-705-5711 or by applying online at <http://www.dnb.com/us/>. All sub-grantee are required to be registered and updated yearly with the System for Award Management (SAM) at [www.sam.gov](http://www.sam.gov).







# **Appendix J**

Supplementary  
Grant Goals and Objectives Form

West Virginia  
STOP Violence Against Women  
(STOP VAWA) Grant



**STOP Violence Against Women Grant  
Program Application**

**Supplementary Goals and Objectives  
Form**

Goal Number: \_\_\_\_\_

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number: \_\_\_\_\_

Outcome

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number: \_\_\_\_\_

Outcome:

Outcome Tool

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.



## **Appendix D**

### **OMB Uniform Guidelines:**

<http://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>

<https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>

### **OJP Financial Guide:**

<https://ojp.gov/funding/Explore/SolicitationRequirements/MandatoryTermsConditions.htm>

### **DOJ Financial Guide:**

<https://www.justice.gov/ovw/file/892031/download>



**APPENDIX E**

**STOP VAWA Monthly Reporting Forms**





# Subgrantee Reference Handbook



## **Preface**

The intent of this document is to serve as a reference tool for the Division of Justice and Community Services (DJCS) subgrantees. Enclosed are standard policies and/or procedures utilized by DJCS. While most areas discussed in this reference book apply to all of the grant programs administered by the Division, there may be a few exceptions. This document is NOT meant to replace contact with the program specialist.

## **Request For Proposal (RFP) Process**

Grant programs that have an open solicitation release an annual Request for Proposal (RFP). In most cases the RFP is a paper brochure with information for the grant program, eligible applicants, allowable expenses and a deadline for the application as well as instruction on how to access an application kit. In addition to the paper RFP, the application kit is also posted on the WV DJCS website on the Current Funding Opportunities page. <http://www.djcs.wv.gov/>

## **Grant Program Committees and Grant Review**

Most grant programs administered by the Division are required to or the Division chooses to utilize a grant oversight committee. The level of oversight and name of each committee varies from one program to another with the common thread being that grant applications are reviewed by these committees and funding recommendations are made to the Governor's Office for final review and award. For more information on a specific oversight committee, please see the administrative manual for the respective program.

Once the application deadline has passed a grant review is held where each application is reviewed by the oversight committee along with Division staff.



## **Division of Justice & Community Services (DJCS) Terms**

- Program Specialist-DJCS employee that administers the subgrant.
- Accountant-DJCS employee that is the second tier of the reimbursement process and requests payment from the Auditor's office.
- Request for Proposal (RFP)-Announcement of available grant funds for a particular program. This may be in paper or e-mail format as well as listed on the DJCS website.
- Open Solicitation-The allowance for agencies, that were not subgrantees the previous funding year, to make application for grant funds.
- Closed Solicitation-Not allowing agencies that were not subgrantees the previous year to apply for funding.
- Application Kit-The application that is required to apply for grant funds.
- Match-Local funds or in-kind goods/services that are used to enhance subgrantee funds. The percentage of match is based upon the grant program and will be announced in the Request for Proposal and grant application instructions. Federal funds may not be matched with Federal funds.
- Grant Oversight Committee-Group of individuals tasked with reviewing the subgrant applications at grant review.
- Grant Review-The meeting at which the subgrantee applications are discussed and reviewed. The subgrantee may be required to attend or be available via telephone to answer questions related to the applications. Appropriate notice will be given to applicants.
- Grant Contract-The document that affects the "relationship" between DJCS and the subgrantee. This document is signed by the Director of DJCS and the subgrant Authorized Official.
- Project Number-Unique number assigned by DJCS that is specific to the subgrant. This number can be found on the contract. This number will be on each report submitted to DJCS.
- Deobligation-The act of "removing" grant funds from a subgrantee either for non-compliance of the contract/special conditions or unexpended funds at the end of the grant period.



- Grant Adjustment Notice (GAN)-A DJCS document that is completed at the request of a subgrantee when anything from the original grant application changes such as a budget adjustment, expenditure approval, grant period extension, change in grant officials, etc.
- Change Orders-A DJCS document that is completed in conjunction with certain Grant Adjustment Notices. Subgrantees never see a Change Order.
- Monthly Reports-Financial and Progress Reports related to the subgrant that are due the 20<sup>th</sup> day of the following month to DJCS.
- Subgrantee-Applicant agency that has been awarded grant funds by DJCS.
- Administrative Manual-Program guidelines that are specific to each grant program.
- State Fiscal Year-July 1 through June 30 (may vary).
- Federal Fiscal Year-October 1 through September 30.



## **Applications**

As the applications are received, page one of the application will be date stamped by DJCS. Late, faxed, e-mailed or post marked applications will not be accepted. The Program Specialist will review the application for completeness and accuracy.

All three grant officers (Project Director, Fiscal Officer and Authorized Official) are different individuals.

The Authorized Official (AO) must be the agency head responsible for the grantee agency and authorized to enter into contract for the grant in question. The Authorized Official should be the agency director, board director, mayor or county commissioner, whichever is applicable.

The Project Director (PD) should be the individual responsible for the administration of the grant program. This is the first point of contact for general questions or problems regarding the grant in question.

The Fiscal Officer (FO) should be the individual responsible for the financial administration of the grant program. This is the point of contact for issues regarding grant expenditures and documentation for the grant in question.

- a. The application checklist should be followed very closely to avoid incomplete applications.
- b. Beginning July 1, 2012, budget narratives are required to be very specific. Each grant funded position must be designated as full-time, part-time, or overtime. Each position is required to have benefit rates associated with each position if benefits are being requested to be paid by grant funds. Please refer to the detailed example budget narrative that was included in each grant application packet.
- c. Written correspondence, fax or e-mail will be sent to the Project Director regarding any missing, incorrect, and/or unclear documentation.
  - i. An additional 5 to 10 working days will be given to applicants to correct or complete the submitted application.
  - ii. The written correspondence sent to the PD, will give a due date. This due date will be strictly enforced.
  - iii. If an applicant has expressed difficulty meeting the deadline, the Specialist has the discretion to give an extension to the due date if the applicant is in contact with the specialist.
  - iv. However, if the required documentation is not returned, then the application must be reported to the subcommittee as being "incomplete".



## **Start of New Grant Cycle**

### **Grant Award Process**

If funded, the Authorized Official will receive an award letter from the Office of the Governor. This may be done during an awards ceremony where the subgrantee will be invited to accept the award letter in person or received via the mail. The awards ceremony time and location may vary from year to year and is subject to the discretion of the Office of the Governor. It is strongly recommended that a designee from your Agency attend this ceremony.

Following the release of the Governor's award letter a grant contract and related documents will be sent to the Authorized Official named on the grant with the Project Director being copied on that correspondence. The contract and other documents must be signed by the Authorized Official with the original document returned to the Division to be affected. Once all documents are finalized the Program Specialist will send a copy of the approved grant. This correspondence will include the grant application, approved budget, signed contract and other related documents. At a minimum, the project director and fiscal officer should each maintain a copy of the approved grant.

1. Any subgrantee that has not completed/returned all application and contract requirements within 30 days of the start of the grant, will be contacted in writing and be given a strict deadline (5 working days) to have them complete. After the deadline, the Program Specialist has the discretion to deobligate funds after a discussion with the immediate supervisor and the deputy director.
2. Any subgrantee that is not in full operation within **60 days** of the start of the grant must notify DJCS in writing of the following:
  - A valid explanation of the delay in implementation
  - A detailed plan of action to address the delay
  - A date the project is planned to begin
3. Any subgrantee that is not in full operation within **90 days** of the start of the grant must submit a **second** written notification DJCS. At that time, following a discussion with the Immediate Supervisor and the Deputy Director, the Program Specialist has the discretion to deobligate all funds and close the grant.
  - A valid explanation as to why the plan of action failed and the implementation deadline was not met must be submitted.
4. If the grant is not in full operation within 90 days, and the Division has not been notified and approved the explanation for the delay in implementing the program, grant funds will be deobligated.



## **Monthly Reports**

### **Due to DJCS by 20<sup>th</sup> of the following month**

Grant programs are required to submit several program reports (monthly, quarterly, semi-annual and annual reporting depending upon the grant program) throughout the grant period. For information on a specific grant program's reporting requirements please reference the respective administrative manual and/or program guidelines.

All subgrantees are required to submit monthly reports by **the 20<sup>th</sup> day of the following month of activity**. Each should be submitted monthly regardless of the level of activity.

#### **General Guidelines:**

- All Monthly Reports will be processed by specialists within **5-7 working days** of date (received) stamped and by the accounting staff within **10 working days**. PLEASE NOTE, due to circumstances beyond the control of the Division this timeframe cannot always be met.
- The Financial and Project Reports should be submitted in one package.
- Reports not received in a timely manner:
  1. Program Specialists will contact the Project Director via e-mail or fax to make them aware that the report is past due. Outstanding reports(s) are to be submitted by a due date of no more than 5 working days.
  2. If reports have not been submitted after the revised due date, a letter will be sent to the Authorized Official (c: Project Director) referring to Special Conditions and Assurances (reporting requirements) of applicable grant. The letter will indicate funds may be deobligated and the grant closed. A copy of the letter will be placed in the grant file.
  3. If no response – funds **may** be deobligated and grant file closed after a discussion with the Immediate Supervisor and Deputy Director.
  4. If delinquent reports are more than 60 days late the grant funds for that month will be forfeited and MAY NOT be recouped.
- Incomplete reports:
  1. The subgrantee (contact listed on the Project Financial Report or the Monthly Progress Report, whichever is appropriate) will be notified immediately by written correspondence (via email or fax) with a due date of no more than 5 working days.
  2. If no response is received within 5 working days of first written notification, a "Final Notice" informing subgrantee Authorized Official (c: Project Director) they have 3 additional working days to rectify problem and then DJCS will (i.e. mark off or deobligate).
  3. If documentation is not received by the final due date, then the missing information will be marked off of the Request for Reimbursement. If the missing documentation is a Progress Report or Statistical Report, then the



Program Specialist cannot process the report and has the option to deobligate funds after a discussion with the Immediate Supervisor and Deputy Director.

4. If incomplete reports are more than 60 days late the grant funds for that month will be forfeited and MAY NOT be recouped.

### **Monthly Progress Reports:**

- Reports must have all required contact information completed.
- Report must list a brief summary of activities as they relate to the goals, status of objectives and any other relevant activities of the applicable grant.
- A monthly Statistical Report must also be sent with Progress Report if applicable.
- Copies of all Board Meeting Minutes (including county commission, Board of Directors, etc.) must also be sent with monthly progress report if applicable, unless the progress report indicates there was not a meeting for the reporting month. ALL boards required by the grant program will follow the WV Ethics Commission Statutes and Rules effective July 1, 2017. (Copy will follow)
- **The monthly progress report is required to process financial requests.**

### **Financial Reports:**

- To process a financial report, the corresponding progress report must be on file.
- **Financial Requests must follow the approved budget** unless a Grant Adjustment Notice (GAN) has been requested and approved.
- Steps to process:
  1. **Request for Reimbursement** page must be signed by either the Authorized Official or Fiscal Officer as listed on Page 1 of the Grant Application or any changes made through adjustments. This must be an original signature; **NO COPIES OR STAMPED SIGNATURES WILL BE ACCEPTED.**
    - Subgrantee information must be the same as on the processed grant. Please note that the address on the Request for Reimbursement must match the address on the approved grant application. All reimbursement checks will be mailed to this address.
    - Project number – the number DJCS has assigned
    - FEIN # - can be found on the Budget Pages in the application
    - Period the report covers – typically should only be for one month timeframe
    - Total amount requested – will verify total at the end.
    - DJCS will not process Request for Reimbursements that are less than \$100. If a request is sent in totaling less than \$100, the request will be held until the following month.

### **2. Project Financial Report**



- Top section should be completed by subgrantee. The contact person listed on this page must be the person who actually completed the financial report.
- Approved Budget Columns – should match the approved grant budget. Budget amounts can only be adjusted through a written or e-mailed request and a written grant adjustment completed by DJCS.
- Expended This Period Column – Total amount the subgrantee is seeking for reimbursement this reporting period.
- Expended to Date Columns – running total calculated by the grantee as to what has been expended during the grant cycle.

### 3. Recap Page (REQUIRED)

- Shows in detail what is being requested for reimbursement.
- Subgrantee is not required to use the standard DJCS Recap page, however the subgrantee Recap page must be similar and must contain all information encompassed in DJCS page.

### 4. If payroll / contractual expenses are requested:

- All expenses must match approved budget.
- Effective July 1, 2012, ALL subgrantees must utilize the standard DJCS timesheet.
- A timesheet must be submitted for each grant funded employee and signed by the employee and their supervisor each month. Original signatures are not necessary, however stamped or typed signatures will not be accepted. A timesheet will be submitted with the ENTIRE month's hours. Hours that are being requested to be reimbursed should be listed under the Program Hours, and hours that are being requested to be utilized for Match should be listed under the Regular Hours. Keep in mind only hours not reimbursed through the grant AND directly related to the program can be used as Match. The timesheet should always reflect the total number of hours in the month the employee worked.
- Proof of payment must be attached for timeframe the subgrantee is requesting payment – proof of payment includes either copies of the check stubs or a copy of the payroll register. If actual checks are attached to the check stubs, they must have ALL appropriate signatures. If a payroll register is submitted, at minimum, these must include the employee's name, check date, check number, and benefits taken out (if applicable).
- The information on the Recap Page must match the pay stubs.
- EXAMPLE of what is required by a subgrantee: Month of July: Timesheet with all hours worked by the grant funded employee in the month of July (1-31). This particular subgrantee gets paid every other Friday so they will attach paystubs for July 1, 15, & 29. The Recap Sheet will request payment for the period July 1<sup>st</sup>



through July 29<sup>th</sup> as this is the period the paystubs cover. **Month of August:** Submit again the entire month of July timesheet (note 29 days were previously requested) and the entire month of August (1-31). The subgrantee will also submit paystubs for August 12<sup>th</sup> and 26<sup>th</sup>. The August 12<sup>th</sup> paystub will cover July 30-August 12 period, and the August 26<sup>th</sup> paystub will cover August 13-August 26. The Recap Sheet will request payment from July 30<sup>th</sup> through August 26<sup>th</sup>. NOTE: It is still acceptable to request the entire month of reimbursement as opposed to the above scenario.

- Effective July 1, 2012, DJCS would recommend that Workers Compensation and Unemployment be requested monthly, however no less than quarterly, based on the percentage set in the approved budget.
- Effective July 1, 2012, proof of Health Insurance premiums paid for each requested employee must be provided monthly. This may be done by providing a copy of a ledger, report, invoice, etc. A certification from the County Clerk, County Commission or city Fiscal Officer WILL NOT be accepted.
- Effective July 1, 2013, Workers Compensation, Unemployment and Retirement MUST be verified with the July 2013 pay (first pay of the grant cycle). This may be done by providing a copy of a ledger, report, invoice, etc. A certification from the County Clerk, County Commission or city Fiscal Officer WILL NOT be accepted.
- If a single purchase in this category exceeds \$2,500.00, a CANCELLED check is required for proof of payment. THIS EXCLUDES PAYROLL.

**5. If Travel / Training expenses are requested:**

- Must match approved budget.
- A travel voucher/expense sheet must be submitted. Employee signature and supervisor signature is required.
- Proof of payment must be attached - typically a copy of the check showing payment. If charges were placed on an agency/business credit card, a copy of the credit card bill and a copy of the check showing the card was paid. If the expense was charged on a personal credit card, the credit card statement is NOT needed. This is the actual statement mailed to the card holder. Proof of payment is required, this may be a copy of the check "cut" to the individual from the grantee agency.
- Meal Allowances – must follow State guidelines and comply with Federal Per Diem rates. Receipts are not required.
- Federal Regulations regarding allowable food for training has changed. ANY food expenditure for ANY training must be pre-approved through the Feds. State programs are exempt.



- Lodging, car rental, fuel receipts, must have receipt/voucher and proof of payment and must be consistent with State travel guidelines.
- To be reimbursed for attendance at training events – the training must be pre-approved in the budget or through a written grant adjustment.
- Use of agency debit cards require a bank statement for payment.
- If the subgrantee is a State agency and utilizes a purchasing card (P-Card) the subgrantee should contact the Specialist/Accountant for instructions on reimbursement.
- If a single purchase in this category exceeds \$2,500.00, a CANCELLED check is required for proof of payment.

**6. If Other/Equipment/Supplies are requested:**

- Must match approved budget.
  - Receipts showing items purchased must be submitted – copies are acceptable. Purchase orders or packing slips are **not** acceptable.
  - If charges were placed on an agency/business credit card, a copy of the credit card bill and a copy of the check showing the card was paid. If the expense was charged on a personal credit card, the credit card statement is NOT needed. This is the actual statement mailed to the card holder. Proof of payment is required, this may be a copy of the check “cut” to the individual from the grantee agency.
  - Proof of payment must be attached – usually a copy of the check showing payment.
  - If a computer, office equipment, vehicle, etc. is purchased by the grant, then an Equipment Listing Form must be attached.
  - Use of agency debit cards require a bank statement for payment.
  - If the subgrantee is a State agency and utilizes a purchasing card (P-Card) the subgrantee should contact the Specialist/Accountant for instructions on reimbursement.
  - If a single purchase in this category exceeds \$2,500.00, a CANCELLED check is required for proof of payment.
- If something is requested for reimbursement that is not approved in the original budget or in a written grant adjustment, then the requested item(s) and amount(s) will be marked off. Accountants will check with the Program Specialist prior to marking off any requested expense. Subgrantee will be contacted as to why this expense was not allowable.
- Totals from **Recap page** must match the amount listed in the Expended This Period Column of the **Project Financial Report**. If different, appropriate corrections will be made and the subgrantee will be notified.
- Total from **Project Financial Report** (Expended This Period Column) should match amount listed on **Request for Reimbursement** form. Important note – the Request for Reimbursement Form total only includes funds being requested



through the grant. Match calculations are not included on this form. Match should be monitored and noted on the Project Financial Report.

- If match is applicable to the program, match may be monitored on a monthly basis, but no less than on a quarterly basis. If a subgrantee is not up-to-date with their match, a letter will be sent to the Project Director (c: Fiscal Officer) and inform them that no future Request for Reimbursements will be processed until the match is current.
- If any changes are made to the totals on the **Project Financial Report** once processed by the Accountants, a corrected form will be faxed or e-mailed to the subgrantee for their records by the Program Staff person responsible for the administration of the grant.
- Match documentation must be submitted in the same manner as reimbursable expenses. Match must be documented on the Monthly Project Financial Report Form and must have proper backup documentation. Match may differ based upon the grant program. For Federal programs that do not allow food to be purchased with grant funds, the subgrantee MAY utilize these expenses as match.
- DJCS does not use QuickBooks so all calculations are done on a calculator. It is standard DJCS practice that the accounting staff will check the requested amount. If there is a difference of only a few pennies, and it is NOT an addition issue that has already been identified, the accountant will always carry out the decimal point at least three places.
- Grant funds (if allowable under individual grant Federal guidelines) and depending upon availability of funds within the subgrant, may be used to pay an annual leave balance to a subgrant funded employee when employment is terminated during the subgrant period. Reimbursement is proportionate based upon the time funded under the grant. If the employee has 240 hours of annual leave, however only 150 hours were accrued during the time the employee was employed by the grant, then that is the grant can reimburse 150 hours.
- **Grant funds do not pay bonuses or increment payments.**
- Supplanting-To deliberately reduce state or local funds because of the existence of federal funds. In order to prevent supplanting the subgrantee will have to backfill. Backfill is simply the process of hiring an additional individual to prevent replacing the local or state funds with federal funds. Example 1: Applicant requests funding for a “new” position that has NO local or state funds budgeted for that “type” of position. Victim Advocate in Prosecutor’s Office=NOT SUPPLANTING Example 2: Applicant requests funding for a new position that it does have local or state funds already budgeted for that “type” of position. City of County requesting funds for another officer=MUST BACKFILL Subgrantee will be notified at the time of application whether or not the requested position will need to be backfilled if the grant is funded.
- Specific, NOT ALL, grant programs administered by DJCS allow only units of government to apply for these funds. Due to this regulation, private and/or non-profit organizations wishing to implement a project utilizing these funds must develop a relationship with a unit of local or state government. This unit of government would then apply on behalf of the private and/or non-profit



organization, who would actually implement the project. Please note that the unit of government does not have to use funds from their budget, but can accept the private and/or non-profit organization's invoices and checks as backup documentation. This documentation must be submitted by the unit of government (subgrantee). Reimbursement will be made back to the unit of government (subgrantee).

- Subgrantee is required to reimburse other agencies within 30 days of receiving the reimbursement.
- All subgrants will be monitored for grant compliance. No changes will be approved/disapproved by the monitor.
- Any corporation, association, or other organization in West Virginia that is not a local unit of government which received funds from the WV Division of Justice and Community Services in the amount of \$50,000 or more shall file an audit of the disbursement of funds with the WV Legislative Auditor's Office. This audit shall be filed within two years of the disbursement of funds by the Division to the entity and shall be made by an independent, certified public accountant at the cost of the entity and show that the funds were spent for the purposes intended. An entity failing to file a required audit within the two-year time period is barred from subsequently receiving funds from the State until the entity has filed the audit and is otherwise in compliance with Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended. Refer to Standard Conditions & Assurances 38. & 39.
- Audits should be reviewed by each specialist. Review the "Findings" section for potential red flags.



## **Grant Adjustments and Change Orders**

Grant Adjustments are completed after submission of a written request, e-mail, or fax by the Grant Project Director (or the Program Director or Fiscal Officer after consultation with Grant Project Director). The adjustment request must be clear, detailed, and must be allowable under all State, Federal and DJCS funding guidelines.

All adjustments (financial or programmatic) to the initial approved grant application MUST have the Program Specialist's written approval prior to any modifications by subgrantee or the submission of the monthly reports by subgrantee.

1. A written response must be generated within 5 working days of receipt of the written request.
2. If the requested change is not allowable under grant conditions, then a written response letter must be sent to the Project Director detailing the reason for the denial of the grant adjustment request.
3. In the event a request may be allowable, but the Program Specialist has not received appropriate proof of justification or proper documentation, the subgrantee must be sent written notification of documentation needed to process the request. This notification must be sent within the 5 working days of receiving the request and must be attached to the initial request.



## **Grant Closing Procedures**

1. When the final (typically June) financial reports are submitted, the Program Specialist must review the reports carefully to make sure the match requirement is up to date if applicable. If match has not been submitted, then notice must be sent immediately giving the subgrantee a 3-5 working day deadline to submit the match. **If match is not submitted at that time then the June request will be used as match instead of reimbursed.**
2. Most of the June reports will be marked as Final Report (top of the Project Financial Report Forms). If not marked, the program specialist must call the subgrantee to confirm they will not have a supplemental request. If the program specialist approves a supplemental request the program specialist must mark the Request for Reimbursement as "supplemental". A supplemental request does not require an extension.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Request for Reimbursement</b>
---	----------------------------------

<b>RECEIVED</b> (For DJCS Use Only)	Subgrantee:
	Address: _____ _____ _____
	Project #:
	FEIN#:
	Funds are hereby requested to cover expenditures FROM: _____ TO: _____

**PROJECT CASH EXPENDITURES**

Account #	Amount
TOTAL	

**CERTIFICATION:**

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

**BY:** \_\_\_\_\_ **SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_  
TYPED NAME & TITLE  
(Authorized Official or Grant Financial Officer ONLY)

<b>DJCS USE ONLY</b>	
<b>ADMINISTRATIVE APPROVAL:</b>	
This request is approved in the amount of \$ _____ Initials _____ Date _____	
Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.	
_____	_____
Date	Program Accountant







<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
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Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ Fax #: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## BUDGET SUMMARY PAGE

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment										
Space										
Other										
TOTALS										

## INSTRUCTIONS

**The following instructions should be observed when preparing a Project Financial Report:**

**DUE DATES:** Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD** \_\_\_\_\_ **to** \_\_\_\_\_: Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.  
**DATE PREPARED:** Enter the date this report was prepared.

**PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

**Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.**

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

**UNPAID OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid. This is for DJCS use ONLY.

Submit **original** report to:

**Sarah Brown**  
**Division of Justice and Community Services**  
**1124 Smith Street, Suite 3100**  
**Charleston, West Virginia 25301-1323**

**QUESTIONS:** Phone 558-8814 ext. 53337  
 between 8:00 a.m. and 4:00 p.m.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
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Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## VICTIM SERVICES BUDGET PAGE (a)

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment										
Space										
Other										
<b>TOTALS</b>										

### INSTRUCTIONS

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**FOR PERIOD** \_\_\_\_\_ **to** \_\_\_\_\_: Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.  
**DATE PREPARED:** Enter the date this report was prepared.

**PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

**Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.**

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

**UNPAID OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit original report to:  
 Sarah Brown  
**Division of Justice and Community Services**  
 1124 Smith Street, Suite 3100  
 Charleston, West Virginia 25301-1323

**QUESTIONS:** Phone 558-8814 between 8:30 a.m. and 4:30 p.m.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
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Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## CULTURAL SPECIFIC ORGANIZATION BUDGET PAGE (b)

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment										
Space										
Other										
TOTALS										

### INSTRUCTIONS

The following instructions should be observed when preparing a Project Financial Report:

**DUE DATES:** Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD** \_\_\_\_\_ **to** \_\_\_\_\_: Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.

**DATE PREPARED:** Enter the date this report was prepared.  
**PROJECT #:** Enter the number assigned by the Division of Justice and Community Services

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

**Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.**

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded **UNPAID**

**OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit **original** report to: Sarah J. Brown  
**Division of Justice and Community Services**  
**1124 Smith Street, Suite 3100**  
**Charleston, West Virginia 25301-1323**

**Sarah Brown**  
**QUESTIONS:** Phone 558-8814 between 8:30 a.m. and 4:30 p.m.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
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Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## PROSECUTION BUDGET PAGE (c)

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment										
Space										
Other										
TOTALS										

### INSTRUCTIONS

The following instructions should be observed when preparing a Project Financial Report:

**DUE DATES:** Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD** \_\_\_\_\_ **to** \_\_\_\_\_: Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.  
**DATE PREPARED:** Enter the date this report was prepared.

**PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

**Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.**

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

**UNPAID OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit **original** report to:  
**Division of Justice and Community Services**  
**1124 Smith Street, Suite 3100**  
**Charleston, West Virginia 25301-1323**

**QUESTIONS:** Phone 558-8814 between 8:30 a.m. and 4:30 p.m.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
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Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## LAW ENFORCEMENT BUDGET PAGE (d)

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment (\$5,000/unit ONLY)										
Space										
Other										
<b>TOTALS</b>										

### INSTRUCTIONS

**The following instructions should be observed when preparing a Project Financial Report:**

**DUE DATES:** Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD \_\_\_\_\_ to \_\_\_\_\_:** Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.

**DATE PREPARED:** Enter the date this report was prepared.

**PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded. Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

**UNPAID OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit original report to:

**Division of Justice and Community Services**  
**1124 Smith Street, Suite 3100**  
**Charleston, West Virginia 25301-1323**

**QUESTIONS:** Phone 558-8814 between 8:30 a.m. and 4:30 p.m.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
---	---

Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX #: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## DISCRETIONARY BUDGET PAGE (e)

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment										
Space										
Other										
TOTALS										

### INSTRUCTIONS

The following instructions should be observed when preparing a Project Financial Report:

**DUE DATES:** Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD** \_\_\_\_\_ **to** \_\_\_\_\_: Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.

**DATE PREPARED:** Enter the date this report was prepared. **PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.

**Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.**

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

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**Division of Justice and Community Services**  
 1124 Smith Street, Suite 3100  
 Charleston, West Virginia 25301-1323

**QUESTIONS:** Phone 558-8814 between 8:30 a.m. and 4:30 p.m.



<b>WEST VIRGINIA</b> <b>Division of Justice and Community Services</b>	<b>Project Financial Report</b> Final Report <input type="checkbox"/> Page _____ of _____      Report #: _____
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Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX #: _____	For Period _____ to _____ Date Prepared: _____ Signature: _____	Project #: _____
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## COURTS PAGE (f)

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS Grant Funds ONLY
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	
Personnel/ Contractual										
Travel/ Training										
Equipment (\$5,000/unit ONLY)										
Space										
Other										
<b>TOTALS</b>										

## INSTRUCTIONS

**The following instructions should be observed when preparing a Project Financial Report:**

**DUE DATES:** Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

**SUBGRANTEE:** Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

**PREPARED BY:** Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

**FOR PERIOD** \_\_\_\_\_ **to** \_\_\_\_\_: Enter the month(s) covered by this report.

**FINAL REPORT:** Check this block if this is the last report.

**DATE PREPARED:** Enter the date this report was prepared.  
**PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.

**APPROVED BUDGET:** Enter the latest approved project budget.

**EXPENDED THIS PERIOD:** Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.  
Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.

**REPORT #:** Assign consecutive numbers as each report is submitted.

**EXPENDED TO DATE:** Enter cumulative expenditures to date based on actual disbursements and not rounded.

**UNPAID OBLIGATIONS:** Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit original report to:

**Division of Justice and Community Services**  
**1124 Smith Street, Suite 3100**  
**Charleston, West Virginia 25301-1323**

**QUESTIONS:** Phone 558-8814 between 8:30 a.m. and 4:30 p.m.



West Virginia Division of Justice & Community Services					Overtime and Salary Timesheet	
Employee:		Agency:				
Month/Year :		Grant Number:				
			Program 1	Program 2	Program 3	Program 4
Date	Reg. Hours	OT Hours	STOP VAWA Reg.	STOP VAWA Sexual Assault		
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
TOTAL						

The undersigned certifies that the above named employee was paid for the above listed salary or overtime

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Supervisor

\*\*\*List ALL hours worked in the month.





**Traveler must attach copies of direct billed receipts or invoices, i.e., airline, registration, lodging, etc.**

I certify that these costs incurred were in connection with my assigned duties, are true, accurate and actual, and do not reflect any costs or expenses reimbursed or to be reimbursed from any other source.

I certify that I have personally examined and approved this Travel Expense Account Settlement. The terms of expense are reasonable and correspond to the assigned duties of the traveler. The terms of expense further meet all State of West Virginia Travel Regulations and are within the budget of this spending unit.

---

Date

---

Date



<b>STOP VAWA Grants Program</b> Division of Justice and Community Services STATE OF WEST VIRGINIA		<b>COMPUTER &amp; OFFICE EQUIPMENT LISTING FORM</b>	
SUBGRANTEE:		PROJECT #:	
PREPARED BY: (Name, Address, Phone and Fax #)		PROJECT TITLE:	
		FOR PERIOD FROM: THROUGH:	
		REPORT #: DATE PREPARED:	

DESCRIPTION OF EQUIPMENT	FROM WHOM PURCHASED	TOTAL COST	DATE PURCHASED	SERIAL NUMBER	CONDITION	LOCATION

CERTIFICATION: I hereby certify (1) that the above computer & equipment listing is accurate and true, and (2) that the equipment will continue to be used consistent with those objectives authorized for support by the Division of Justice and Community Services.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Typed Name and Title

Signature

Date



# GRANT COMPUTER & OFFICE EQUIPMENT LISTING FORM

## INSTRUCTIONS

The following instructions should be observed when preparing computer & office equipment listing form:

- DUE DATES:** **Monthly**, within twenty (20) days after the end of the month in which equipment was purchased. Must be submitted with the corresponding grant financial report.
- SUBGRANTEE:** Enter the name of the Agency or Unit of Local Government that is designated as the grant recipient.
- PREPARED BY:** Type the name, address, phone and fax number of the person preparing this report, and sign.
- PROJECT #:** Enter the number assigned by the Division of Justice and Community Services.
- PROJECT TITLE:** Enter the same title of the project that was used in the grant application.
- FOR PERIOD FROM/THROUGH:** Enter the period of time covered by this report.
- REPORT #:** Assign consecutive numbers as each report is submitted.
- DATE PREPARED:** Enter the date this report was prepared.
- DESCRIPTION OF EQUIPMENT:** Enter a concise but complete description of each piece of equipment purchased in whole or in part with grant funds.
- FROM WHOM PURCHASED:** Enter the name of the vendor the equipment was purchased from.
- TOTAL COST:** Enter the total funds used to purchase the equipment including federal and subgrantee funds.
- DATE PURCHASED:** Enter the date the equipment was ordered.
- SERIAL NUMBER:** Enter the serial number of the manufacturer. If none is available, enter the model number.
- CONDITION:** Enter either new or used depending on status at time of order.
- LOCATION:** Enter the exact location of the equipment.



## **ADDITIONAL INFORMATION (COMPUTER PURCHASES ONLY)**

1. Please describe how the computer equipment enhances services to victims.
2. How has the computer equipment been integrated into and/or enhance your current system?
3. What was the cost of installation?
4. What was the cost of training staff to use the computer equipment?
5. What was or will be the on-going operational costs, such as maintenance agreements, supplies, etc.? How will these additional costs be supported?



<b>WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES</b>		<b>STOP Violence Against Women Grant Program Monthly Progress Report</b>	
Grantee:		Project Number:	
Address: <hr/> <hr/>		Report Period:	
		Prepared By:	
		Telephone Number:	
<b>PART 1: Status of Goals and Objectives.</b> <i>(List each Goal and Objective and report on the status of the goals and objectives for your grant as of the end of the current reporting month, as they are <b>identified in your approved grant proposal</b> or as they have been added or revised. Indicate whether the activities related to your objectives for the current reporting month have been completed, are in progress, are delayed, or have been revised. Comment on your successes and challenges, and provide any additional explanation you feel is necessary for WVDJCS to understand what you have or have not accomplished relative to your goals and objectives. If you have not accomplished objectives that should have been accomplished during the current reporting month, you must provide an explanation.) Add more goals and objectives as needed.</i>			
Goal 1:			
Objective 1:			
Monthly Status:			
Yearly Total:			
Objective 2:			
Monthly Status:			
Objective 3:			
Monthly Status:			
Yearly Status:			
Goal 2:			
Objective 1:			
Monthly Status:			
Yearly Status:			
Objective 2:			
Monthly Status:			
Yearly Status:			
Objective 3:			
Monthly Status:			
Yearly Status:			



<b>Goal 3:</b>	
<b>Objective 1:</b>	
<b>Monthly Status:</b>	
<b>Yearly Status:</b>	
<b>Objective 2:</b>	
<b>Monthly Status:</b>	
<b>Yearly Status:</b>	
<b>Objective 3:</b>	
<b>Monthly Status:</b>	
<b>Yearly Status:</b>	

**PART 2: STOP Team/Program Effectiveness.** *(Discuss the effectiveness of the project supported by the STOP VAWA grant. Examples might include that your project, as the result of STOP VAWA funding, was able to: provide medical accompaniment to an increased percentage of sexual assault victims/survivors, which resulted in a higher percentage of victims/survivors seeking additional support services; expedite prosecution of domestic violence and sexual assault cases as a result of funding a specialized VAWA prosecutor to handle those cases; increased number of protection orders being served in a more timely manner as a result of funding a specialized VAWA officer; or an increased percent of court monitored offenders complying with Bipps programs, etc.)*

**PART 3: STOP Team Meetings/Advisory Board Meeting (State Agencies).**

Was there a STOP Team meeting or Advisory Board Meeting held during the reporting month?

☐ **YES.** Please indicate the date of the meeting here: \_\_\_\_\_.  
*(Please be sure to attach a copy of the corresponding meeting minutes with this report.)*

☐ **NO.** Please indicate the date of your next scheduled meeting here: \_\_\_\_\_.

**PART 4: Required Trainings.** List when each funded agency/staff have attended their eight hours of required training and submit the certificates with the corresponding monthly report.

Victim Services:

Law Enforcement:

Prosecution:

Court:

Cultural Specific:



List any additional trainings needed for staff:

**Due by the 20th day of each month. Delinquent project reports will result in a delay in the processing of requests for reimbursement. Attach additional sheets as necessary.**





## VICTIM SERVICES

### Were your STOP Program funds used to provide victim services?

Check yes if STOP Program-funded staff provided victim services or if STOP Program funds were used to support victim services during the current reporting period. Report all victims/survivors served, and victim services provided with STOP Program funds, whether by a victim services agency or victim services within law enforcement, prosecution, or the court system in this section. Report criminal justice activities, such as 911 calls, cases investigated, and cases prosecuted, in section E only.

- ☐ Yes—answer questions 25-32  
☐ No—skip to section E

### 25. Number of primary victims/survivors served, partially served, and victims/survivors seeking services who were not served

Please do not answer this question without referring to the separate instructions for further explanation and examples of how to distinguish among these categories. (Report the following, to the best of your ability, as an unduplicated count for each category during the current reporting period. This means that each victim/survivor who was seeking or who received services during the current reporting period should be counted only once in that reporting period. For purposes of this question, victims/survivors are those against whom the sexual assault, domestic violence, dating violence, and/or stalking was directed. If the victim/survivor experienced more than one victimization, that person should be counted only once under the primary victimization. Do not report secondary victims here.)

Primary victims/survivors	Sexual assault	Domestic violence/ dating violence	Stalking	TOTAL
<b>A. Served:</b> Victims/survivors who received the service(s) they requested, if those services were funded by your STOP Program subgrant	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>B. Partially served:</b> Victims/survivors who received some service(s), but not all of the services they requested, if those services were funded by your STOP Program subgrant	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>TOTAL SERVED and PARTIALLY SERVED (25A + 25B)</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>C. Victims/survivors seeking services who were not served:</b> Victims/survivors who sought services and did not receive the service(s) they were seeking, if those services were funded by your STOP Program subgrant	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### 26. Number of secondary victims served

Please do not answer this question without referring to the separate instructions for further explanation and for examples of how and when to report secondary victims. (Report the following, to the best of your ability, as an unduplicated count for each category during the current reporting period. This means that each secondary victim who received services during the current reporting period should be counted only once and in only one of the listed categories, which should correspond to the category of victimization of the primary victim/survivor. For purposes of this question, secondary victims are those who are indirectly affected by the domestic violence/dating violence, sexual assault, and/or stalking—i.e., children, siblings, spouses or intimate partners, grandparents, other affected relatives, friends, neighbors, etc.)

Secondary victims	Sexual assault	Domestic violence/ dating violence	Stalking	TOTAL
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Secondary victims who received service(s)  
funded by your STOP Program subgrant

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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**27. Reasons that primary victims/survivors seeking services were not served or were partially served***(Check all that apply.)***Reasons not served or partially served**

- ☐ Conflict of interest
- ☐ Did not meet statutory requirements
- ☐ Hours of operation
- ☐ Insufficient/lack of culturally appropriate services
- ☐ Insufficient/lack of language capacity *(including sign language)*
- ☐ Insufficient/lack of services for people with disabilities
- ☐ Lack of child care
- ☐ Program reached capacity
- ☐ Program rules not acceptable to victim/survivor
- ☐ Program unable to provide service due to limited resources/priority-setting
- ☐ Services inappropriate or inadequate for victims/survivors with mental health issues
- ☐ Services inappropriate or inadequate for victims/survivors with substance abuse issues
- ☐ Services not appropriate for victim/survivor
- ☐ Services not available for victims/survivors accompanied by male adolescents
- ☐ Transportation
- ☐ Other *(specify)*: \_\_\_\_\_



**28. Demographics of primary victims/survivors served or partially served**

(Based on the primary victims/survivors reported in 25A and 25B, report the total numbers for all that apply. Because victims/survivors may identify in more than one category of race/ethnicity, the total for "Race/ethnicity" may exceed the total number of victims/survivors reported in 25A and 25B. However, the total number of victims/survivors reported under "Race/ethnicity" should not be less than the total number of victims/survivors reported in 25A and 25B. The total number of victims/survivors reported under "Gender" and the total number reported under "Age" should equal the total number of victims/survivors reported in 25A and 25B. Those victims/survivors for whom gender, age, and/or race/ethnicity are not known should be reported in the "Unknown" category. Do not report demographics for secondary victims.)

<b>Race/ethnicity</b> (Victims/survivors should not be counted more than once in either the category "American Indian and Alaska Native" or in the category "Native Hawaiian and other Pacific Islander.")	<b>Number of victims/survivors</b>
American Indian and Alaska Native	<input type="text"/>
Asian	<input type="text"/>
Black or African American	<input type="text"/>
Hispanic or Latino	<input type="text"/>
Native Hawaiian and other Pacific Islander	<input type="text"/>
White	<input type="text"/>
Unknown	<input type="text"/>
<b>TOTAL RACE/ETHNICITY</b> (should not be less than the sum of 25A and 25B)	<input type="text"/>
<b>Gender</b>	<b>Number of victims/survivors</b>
Female	<input type="text"/>
Male	<input type="text"/>
Unknown	<input type="text"/>
<b>TOTAL GENDER</b> (should equal the sum of 25A and 25B)	<input type="text"/>
<b>Age</b>	<b>Number of victims/survivors</b>
0-12	<input type="text"/>
13-17	<input type="text"/>
18-24	<input type="text"/>
25-59	<input type="text"/>
60+	<input type="text"/>
Unknown	<input type="text"/>
<b>TOTAL AGE</b> (should equal the sum of 25A and 25B)	<input type="text"/>
<b>Other demographics</b>	<b>Number of victims/survivors</b>
People with disabilities	<input type="text"/>
People with limited English proficiency	<input type="text"/>
People who are immigrants/refugees/asylum seekers	<input type="text"/>
People who live in rural areas	<input type="text"/>



**29. Victims/survivors' relationships to offender by victimization**

(For those primary victims/survivors reported as served and partially served in 25A and 25B, report the victim/survivor's relationship to the offender by type of victimization. If a victim/survivor experienced more than one type of victimization and/or was victimized by more than one perpetrator, count the victim/survivor in all categories that apply. The total number of relationships in the sexual assault column must be at least [insert sum of sexual assault victims reported in 25A and 25B]; the total number in the domestic violence/dating violence column must be at least [insert sum of domestic violence/dating violence victims reported in 25A and 25B]; and the total number in the stalking column must be at least [insert sum of stalking victims reported in 25A and 25B]. 25A and 25B Do not report relationships to offender for secondary victims.)

Victim/survivor's relationship to offender	Number of victim/survivor relationships by victimization		
	Sexual assault	Domestic violence/dating violence	Stalking
Current or former spouse or intimate partner	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other family or household member	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dating relationship	<input type="text"/>	<input type="text"/>	<input type="text"/>
Acquaintance ( <i>neighbor, employee, co-worker, student, schoolmate, etc.</i> )	<input type="text"/>	<input type="text"/>	<input type="text"/>
Stranger	<input type="text"/>	<input type="text"/>	<input type="text"/>
Relationship unknown	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>TOTAL</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**30A. Victim services**

(Report the number of primary victims/survivors from 25A and 25B who received STOP Program-funded services. Count each victim/survivor only once for each type of service that victim received during the current reporting period; do not report the number of times that service was provided to the victim. The total for each type of service should not be higher than the total of 25A and 25B [insert total of 25 A and 25 B.]. Shelter services should be reported in Question 30B. Do not report secondary victims receiving services in this question.)

Type of service	Number of victims/survivors served
Civil legal advocacy/court accompaniment (Assisting a victim/survivor with civil legal issues, including preparing paperwork for a protection order and accompanying victim/survivor to a protection order hearing, administrative hearing, or other civil court proceeding. Does not include advocacy by attorneys and/or paralegals.)	<input type="text"/>
Civil legal assistance (Civil legal services provided by an attorney and/or a paralegal.)	<input type="text"/>
Counseling services/support group (Individual or group counseling or support provided by a volunteer, peer, or professional)	<input type="text"/>
Criminal justice advocacy/court accompaniment (Assisting a victim/survivor with criminal legal issues including notifying the victim/survivor of case status, hearing dates, plea agreements, and sentencing terms; preparing paperwork such as victim impact statements; accompanying a victim/survivor to a criminal court proceeding or law enforcement interview; and all other advocacy within the criminal justice system.)	<input type="text"/>
Crisis intervention (Crisis intervention is a process by which a person identifies, assesses, and intervenes with an individual in crisis so as to restore balance and reduce the effects of the crisis in her/his life. In this category, report crisis intervention that occurs in person and/or over the telephone.)	<input type="text"/>
Forensic exam (Exam conducted by a sexual assault nurse examiner or by a sexual assault forensic examiner)	<input type="text"/>
Hospital/clinic/other medical response (Accompanying a victim survivor to or meeting a victim/survivor at a hospital, clinic, or medical office)	<input type="text"/>
Language services (Interpretation, translation)	<input type="text"/>
Transportation	<input type="text"/>
Victim/survivor advocacy (Actions designed to assist the victim/survivor in obtaining support, resources, or services, including employment, housing, shelter services, health care, victim's compensation, etc.)	<input type="text"/>
Other (specify): <input type="text"/>	<input type="text"/>



**30B. Shelter services**

(Report the number of victims/survivors and accompanying family members who received emergency shelter and/or transitional housing provided with STOP Program funds during the current reporting period. This should be an unduplicated count for both victims/survivors and for family members. This means that each victim/survivor and each family member who received shelter services during the current reporting period should be counted only once. Report the total number of bed nights provided in emergency shelter and/or transitional housing to victims/survivors and family members. The number of bed nights is computed by multiplying the number of victims and family members by the number of nights they stayed in the shelter. The number of bed nights will typically be significantly higher than the number of victims and family members. For example, one victim and her three children all stayed in the shelter for 10 nights. The number of bed nights would be 4 x 10, or 40.)

Shelter service	Number of victims/survivors	Number of family members	Number of bed nights
Emergency shelter	<input type="text"/>	<input type="text"/>	<input type="text"/>
Transitional housing	<input type="text"/>	<input type="text"/>	<input type="text"/>

**30C. Hotline calls**

(Report the number of hotline calls received from primary victims, and the total number of hotline calls received, on phone lines paid for with STOP Program funds or answered by STOP Program-funded staff, during the current reporting period. Primary victims whose calls are reported here should not be reported as victims served in question 25 unless they also received at least one of the services listed in question 30A Victim Services or question 30B Shelter Services. Victims/survivors who receive services such as crisis intervention or victim advocacy over the telephone, in addition to basic hotline information and/or referrals, should also be reported in question 30A. Hotline calls that include victim advocacy or crisis intervention services are those that require more time than the average call and involve a more intensive focus on the immediate needs and situation of the victim. For examples of when to report only the hotline call and when to report both the hotline call and a service or services in question 30A, see separate instructions.)

	Number of calls from victims/survivors	Total number of calls
Hotline calls (Crisis or information and referral calls received by an agency's hotline or office telephone)	<input type="text"/>	<input type="text"/>

**30D. Victim-witness notification/outreach to victims/survivors**

(Report the number of unsolicited letters, phone calls, or visits to victims/survivors of specific incidents of sexual assault, domestic violence, dating violence, and stalking identified in police reports or court documents, informing them of services and/or providing information about the criminal justice system. Victims/survivors who are the recipients of these notification/outreach activities should not be reported as victims/survivors served in question 25 unless they also received at least one of the services reported in question 30A Victim Services or question 30B Shelter Services. Victims/survivors who receive services such as criminal justice advocacy over the telephone should be reported in question 30A.)

	Number of notification/outreach activities to victims/survivors
Victim-witness notification/outreach to victims/survivors (unsolicited letters, phone calls, or visits)	<input type="text"/>



**31. Protection orders**

(Report the total number of temporary and/or final protection orders requested and granted for which STOP Program-funded victim services staff provided assistance to victims/survivors during the current reporting period. These orders may also be referred to as protection from abuse, protection from harassment or anti-harassment orders, restraining orders, or no-contact or stay-away orders.)

Sexual assault protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Domestic violence/dating violence protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Stalking protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>



**32. (Optional) Additional information**

(Use the space below to discuss the effectiveness of victim services funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about your victim services activities beyond what you have provided in the data above. An example might include that your agency, as a result of STOP Program-funding, was able to provide medical accompaniment to an increased percentage of sexual assault survivors. This resulted in a higher percentage of victims/survivors seeking additional support services.) *(Maximum 2000 characters)*



SECTION  
**E2****Prosecution****Were your STOP Program funds used for prosecution during the current reporting period?**

Check yes if your STOP Program subgrant funded prosecution activities. If STOP Program funds supported only a victim assistant/victim-witness specialist or victim advocate located in a prosecution office, then only section D Victim Services should be completed.

- ☐ Yes—answer questions 37-43. Provide the information only for STOP Program-funded prosecution activities engaged in during the current reporting period.
- ☐ No—skip to E3.

**37A. Number of cases received, accepted for prosecution, declined, or transferred**

(Report the number of domestic violence/dating violence, sexual assault, or stalking-related case referrals received during the current reporting period—including cases already charged before reaching the prosecutor's office. Of those cases referred, report the number that were accepted and the number that were declined for prosecution during the current reporting period. A case should be characterized by the most serious offense and may include numerous charges or counts. In most instances, a case will refer to one victim, one offender, and one incident. It is strongly suggested that you refer to the separate instructions for examples of how to count and characterize cases.)

Misdemeanor and felony domestic violence cases may include any assaults, battery, vandalism, or other offenses that occurred in a domestic violence incident. Your state law does not have to name an offense "domestic violence" for a case addressing that offense to be counted here. Similarly, cases addressing sexual assault and stalking offenses should be counted, even if your state law uses other names for these types of offenses, such as "sexual battery" or "harassment."

Received/accepted/declined/transferred	Domestic violence/ dating violence	Sexual assault	Stalking
a. Number of case referrals received	<input type="text"/>	<input type="text"/>	<input type="text"/>
b. Number of cases accepted for prosecution	<input type="text"/>	<input type="text"/>	<input type="text"/>
c. Number of cases declined	<input type="text"/>	<input type="text"/>	<input type="text"/>
d. Transferred to higher or lower court that is outside grant-funded jurisdiction	<input type="text"/>	<input type="text"/>	<input type="text"/>

**37B. Reasons for declining cases**

(Of those cases reported in line c of question 37A as declined, report only the primary reason for the decision to decline prosecution. Please see separate instructions for further explanation of the reasons and for examples of how to apply them.)

Reason for declining	Domestic violence/ dating violence	Sexual assault	Stalking
Insufficient evidence (returned for further investigation)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Insufficient evidence/victim unavailable (no further action requested)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Request of victim/victim safety	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other (specify): <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



**38. Disposition of cases***(Report the dispositions of all cases resolved during the current reporting period.)*

Type of case	Number dismissed	Number of deferred adjudications	Number convicted						Number acquitted
			Plead as charged	Plead to lesser charge in the same category	Plead to lesser charge in lower category	Guilty as charged	Guilty of lesser charge in the same category	Guilty of lesser charge in lower category	
Domestic violence/dating violence ordinance									
Misdemeanor domestic violence/dating violence									
Felony domestic violence/dating violence									
Domestic violence/dating violence homicide									
Misdemeanor sexual assault									
Felony sexual assault									
Sexual assault homicide									
Stalking ordinance									
Misdemeanor stalking									
Felony stalking									
Violation of protection order									
Stalking homicide									
Violation of bail									
Violation of probation or parole									
Violation of other court order									
Other (specify): <div></div>									



**39. (Optional) Other issues present in cases that reached disposition**

*(If possible, use the space below to discuss the extent to which cases that were characterized as domestic violence, dating violence, sexual assault, and/or stalking also included additional charges or elements of domestic violence, dating violence, sexual assault, and/or stalking. For example, cases reported above as domestic violence felony cases may also have included counts of misdemeanor sexual assault, and cases reported as felony sexual assaults may also have included stalking charges. The purpose of this question is to gather information on how often multiple crimes were present in the cases reported. If detailed information is not available, feel free to provide estimates based on your experience.) (Maximum 2000 characters)*



**40. Tribal subgrantees**

(Report the total number of sexual assault, domestic violence, dating violence, and stalking cases referred for state or federal prosecution during the current reporting period.)

	Number
Cases referred to federal entity for prosecution	<input type="text"/>
Cases referred to state entity for prosecution	<input type="text"/>
<b>TOTAL</b>	<input type="text"/>

**41. Victim/survivor referrals to victim services**

(Report the total number victim/survivor referrals referred to victim services during the current reporting period. "Governmental" refers to victim services provided by victim assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation that are targeted to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking. "Non-governmental" refers to services provided by non-profit community-based agencies to victim/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)

	Governmental victim services	Non-governmental victim services
Number of victim/survivor referrals	<input type="text"/>	<input type="text"/>

**42. Protection orders**

(Report the total number of temporary and/or final protection orders STOP Program-funded prosecutors requested and the number granted during the current reporting period. These orders may also be referred to as protection from abuse or protection from harassment orders, restraining orders, or no-contact or stay-away orders.)

Sexual assault protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Domestic violence/dating violence protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Stalking protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>



### 43. (Optional) Additional information

*(Use the space below to discuss the effectiveness of prosecution activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about those activities beyond what you have provided in the data above. An example might include expedited prosecution of felony domestic violence and sexual assault cases as a result of funding a specialized prosecutor to handle those cases.)*  
(Maximum 2000 characters)



SECTION  
**E1****CRIMINAL JUSTICE SYSTEM**  
**Law Enforcement****Were your STOP Program funds used for law enforcement activities during the current reporting period?**

Program subgrant funded law enforcement activities. If STOP funds supported only a victim-witness assistant or victim advocate located in a law enforcement agency, then only Section D Victim Services should be completed.

- ☐ Yes—answer questions 33-36. Provide information only for STOP Program-funded law enforcement activities engaged in during the current reporting period.
- ☐ No—skip to E2.

**33. Activities**

(Report the number of STOP Program-funded activities related to sexual assault, domestic violence/dating violence, and/or stalking cases/incidents for the current reporting period. If an activity relates to a case/incident involving more than one type of crime, the activity should be counted only once under the primary victimization.)

Activity	Sexual assault	Domestic violence/ dating violence	Stalking
Calls for assistance (All 911 and other calls made to law enforcement)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Incident reports (All responses to an incident as reported on an incident report)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Cases/incidents investigated (All cases in which evidence was collected/witnesses interviewed relating to an incident)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Forensic medical evidence (All cases in which rape kits were processed)	<input type="text"/>		
Arrests (All arrests made by law enforcement, except dual arrests)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dual arrests (Responses by law enforcement in which the two parties involved in the incident are arrested)		<input type="text"/>	
Protection/ex parte/temporary restraining orders served (All instances in which these types of orders were served on offenders)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Arrests for violation of bail bond (All instances in which arrests were made of offenders who violated conditions set out in their bail bonds)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Enforcement of warrants (All instances in which warrants relating to these incidents were enforced)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Arrests for violation of protection order	<input type="text"/>	<input type="text"/>	<input type="text"/>
Protection orders issued (All orders directly issued by law enforcement in jurisdictions where law enforcement officers are so authorized)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Referrals of cases to prosecutor	<input type="text"/>	<input type="text"/>	<input type="text"/>
Referrals of federal firearms charges to federal prosecutor	<input type="text"/>	<input type="text"/>	<input type="text"/>



**34. Victim/survivor referrals to victim services**

(Report the total number of victim/survivor referrals to victim services during the current reporting period. "Governmental" refers to victim services provided by victim assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation that are targeted to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking. "Non-governmental" refers to services provided by non-profit community-based agencies to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)

	Governmental victim services			Non-governmental victim services		
Number of victim/survivor referrals						

**35. Protection orders**

(Report the total number of temporary and/or final protection orders requested and granted for which STOP Program-funded law enforcement staff provided assistance to victims/survivors during the current reporting period. These orders may also be referred to as restraining orders, anti-harassment orders, or no-contact or stay-away orders.)

Sexual assault protection orders	Temporary orders		Final orders	
Number requested				
Number granted				

Domestic violence/dating violence protection orders	Temporary orders		Final orders	
Number requested				
Number granted				

Stalking protection orders	Temporary orders		Final orders	
Number requested				
Number granted				



**36. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of law enforcement activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about these activities beyond what you have provided in the data above. An example might include an increase in the number of cases accepted for prosecution as the result of a STOP Program-funded specialized investigator focused on domestic violence/dating violence, sexual assault, and stalking.) (Maximum 2000 characters)*



## STOP Team Meeting Sign-in Sheet

Name	Agency	Title	Date

*\*Make more copies if needed*



## Courts

<b>Project #</b>		<b>Reporting Period:</b>	
<b>Agency:</b>			
<b>Contact Person:</b>			
<b>Phone:</b>			

### **Number of criminal cases**

*(Report the total number of new sexual assault, domestic violence, dating violence, and/or stalking-related cases filed during the current reporting period.)*

Misdemeanor and felony domestic violence cases include any assaults, battery, vandalism, or other offenses that occurred in a domestic violence incident. Your state law or tribal code does not have to name the offense “domestic violence” for it to be counted here. Similarly, sexual assault and stalking cases should be counted under the appropriate sexual assault or stalking offense listed below (e.g., felony sexual assault), even if your state law uses another name for these types of offenses, such as “sexual battery” or “harassment.”

Type of Case	New Cases Filed during the current reporting period
Misdemeanor sexual assault	
Felony Assault	
Homicide related to sexual assault, domestic violence/dating violence or stalking	
Domestic Violence/Dating Violence	
Misdemeanor domestic violence/dating violence	
Felony domestic violence/dating violence	
Stalking ordinance	
Misdemeanor Stalking	
Felony Stalking	
Violation of Protection order	
Violation of Bail	
Violation of Probation/parole	



Violation of Court Order	
TOTAL	

**Disposition of criminal cases** *(Report the disposition of any sexual assault, domestic violence/dating violence, or stalking cases resolved during the current reporting period.)*

Type of Case	Number dismissed	Number of deferred adjudications	Number Convicted	Number Acquitted
Misdemeanor sexual assault				
Felony sexual assault				
Homicide related to sexual assault, domestic violence/dating violence, or stalking				
Domestic violence/dating violence ordinance				
Misdemeanor domestic violence/dating violence				
Felony domestic violence/dating violence				
Stalking ordinance				
Misdemeanor stalking				
Felony stalking				
Violation of protection order				
Violation of bail				
Violation of probation/parole				
Violation of other court order				
Total				



**Judicial monitoring**

*(Report the number of sexual assault, domestic violence, dating violence, and/or stalking offenders whose cases were reviewed by the court for compliance with conditions of probation or other court-ordered conditions, or for violations of those conditions, during the current reporting period. Also report the total number of individual review hearings conducted. The number of review hearings is the number of individual hearings held for each offender, even when that offender is reviewed during the same monitoring sessions as other offenders. For example, if 10 offenders were reviewed at the same three sessions during the reporting period, the number of offenders reviewed would be 10 and the number of review hearings conducted would be 10 multiplied by 3, or 30.)*

Number of offenders Reviewed	Number of Individual Review Hearings Conducted

**Disposition of violations**

*(Report the number of sexual assault, domestic violence, dating violence, and/or stalking cases in which there were dispositions of violations during the current reporting period. The violation does not have to have occurred during this reporting period, only the disposition. A case may be counted more than once if there were multiple violations.)*

Violation	No Action taken	Verbal/Written Warning	Fine	Conditions Added	Partial revocation of probation	Probation revoked/ incarceration
Protection Order						
New Criminal Behavior						
Failure to attend batterer intervention program (BIP)						
Failure to attend mandated offender treatment (does not include BIP)						



Other conditions of probation or parole						
Total						

### **Victims/survivor referrals to victim services**

*(Report the total number victim/survivor referrals to victim services during the current reporting period. "Governmental" refers to victim services provided by victim-assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation. "Non-governmental" refers to services provided by non-profit community-based agencies to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)*

	Governmental Victim Services	Non-governmental victim services
Number of Victim/Survivor referrals		

### **(Optional) Additional information**

*(Use the space below to discuss the effectiveness of probation activities funded or supported by your STOP Program sub-grant and to provide any additional information you would like to share about those activities beyond what you have provided in the data above. An example might include a decrease in caseload and higher number of contacts with offenders as a result of funding a specialized domestic violence probation officer.)*



# **Appendix F**

## **Travel Forms**





DATE	TIME	CITY/STATE	MILES	AMOUNT	AIR	CAR RENTAL	MEALS	LODGING	OTHER	TOTAL
<b>Total</b>										

OTHER EXPENSES		
DATE	ITEMS	AMOUNT

I certify that I have personally examined and approved this Travel Expense Account Settlement. The terms of expense are reasonable and correspond to the assigned duties of the traveler. The terms of expense further meet all State of West Virginia Travel Regulations and are within the budget of this spending unit.

Date



# **Appendix G**

## **Sample Budget Adjustment Request**



Women's Center, Inc.  
Post Office Box 555  
Beautiful, WV 50000

Justice Program Specialist

WV Division of Justice and Community Services

1204 Kanawha Boulevard, East

Charleston, West Virginia 25301

Dear Justice Program Specialist:

I am writing to request an adjustment for our STOP Violence Against Women Grant Budget (Grant Number#). Currently \$1,000 is budgeted in Personnel/Contractual in the Law Enforcement Budget. However, due to turnover we will not be utilizing those funds and would request to transfer those funds to Travel/Training in order to cover the cost of our law enforcement office attending the DV Law Enforcement Training and purchasing training materials for Law Enforcement. The agenda for the requested training is attached; also, we are requesting of that \$1,000 to be used for mileage 512 miles round-trip at current state per diem rate; lodging \$101 x 4 nights, meals \$158 parking \$16.00 and registration \$100. Please adjust our budget as follows:

**Law Enforcement Budget:**

Category	Approved Budget	Adjustment	Adjusted Budget
Personnel/Contractual	\$13,000	-\$1,000	\$12,000
Travel/Training	\$0	+\$1,000	\$1,000
TOTAL	\$13,000	0	\$13,000

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

Project Director



# **Appendix H:**

## **Victim of Crime Act**

<https://www.law.cornell.edu/uscode/text/42/chapter-112>

### **Victims of Crime Act Victim Assistance Program Final Rule:**

<https://www.federalregister.gov/articles/2016/07/08/2016-16085/victims-of-crime-act-victim-assistance-program>



## **VICTIM COMPENSATION AND ASSISTANCE ACT**

<del>42 U.S.C. 10601</del>	<del>Sec. 1402. Crime victims fund</del>
42 U.S.C. 10602	Sec. 1403. Crime victim compensation
42 U.S.C. 10603	Sec. 1404. Crime victim assistance
42 U.S.C. 10603a	Sec. 1404A. Child abuse prevention and treatment grants
42 U.S.C. 10603b	Sec. 1404B. Compensation and assistance to victims of terrorism or mass violence
42 U.S.C. 10604	Sec. 1407. Administrative provisions
42 U.S.C. 10605	Sec. 1411. Establishment of Office for Victims of Crime
42 U.S.C. 10606	Sec. 502. Victims' rights
42 U.S.C. 10607	Sec. 503. Services to victims
42 U.S.C. 10608	Closed circuit televised court proceedings for victims of crime



# **VICTIM COMPENSATION AND ASSISTANCE ACT**

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42 U.S.C. 10601

## **Sec. 1402. Crime victims fund**

(a) Establishment. There is created in the Treasury a separate account to be known as the Crime Victims Fund (hereinafter in this chapter referred to as the "Fund").

(b) Fines deposited in fund; penalties; forfeited appearance bonds. Except as limited by subsection (c) of this section, there shall be deposited in the Fund—

(1) all fines that are collected from persons convicted of offenses against the United States except—

(A) fines available for use by the Secretary of the Treasury pursuant to—

(I) section 1540(d) of Title 16; and

(ii) section 3375(d) of Title 16; and

(B) fines to be paid into—

(I) the railroad unemployment insurance account pursuant to the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.);

(ii) the Postal Service Fund pursuant to sections 2601(a)(2) and 2003 of Title 39 and for the purposes set forth in section 404(a)(8) of such Title 39;

(iii) the navigable waters revolving fund pursuant to section 1321 of Title 33; and

(iv) county public school funds pursuant to section 3613 of Title 18;

(2) penalty assessments collected under section 3013 of Title 18;

(3) the proceeds of forfeited appearance bonds, bail bonds, and collateral collected under section 3146 of Title 18; and



(4) any money ordered to be paid into the Fund under section 3671(c)(2) of Title 18.

**Retention of sums in Fund; Availability for expenditure without fiscal year limitation.**

(c)^ ~~Availability of funds.~~ Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this subsection for grants under this chapter without fiscal year limitation.

**Availability for judicial branch administrative costs; grant program percentages.**

(d)^ ~~Amounts of funds for costs and grants.~~ The Fund shall be available as follows:

(1) The first \$6,200,000 deposited in the Fund in each of the fiscal years 1992 through 1995 and the first \$3,000,000 in each fiscal year thereafter shall be available to the judicial branch for administrative costs to carry out the functions of the judicial branch under sections 3611 and 3612 of Title 18.

(2) the next \$10,000,000 deposited in the Fund shall be available for grants under section ~~10603a~~ of this title.

10603(a)

(3) Of the remaining amount deposited in the Fund in a particular fiscal year--

(A) 48.5 percent shall be available for grants under section 10602 of this title;

(B) 48.5 percent shall be available for grants under section 10603a of this title; and

(C) 3 percent shall be available for grants under section 10603(c) of this title.

(A) If the sums available in the Fund are sufficient to fully provide grants to the States pursuant to section 10602(a)(1) of this title, the

(4) ^The Director may retain any portion of the Fund that was deposited during a fiscal year that is in excess of 110 percent of the total amount deposited in the Fund during the preceding fiscal year as an emergency reserve. ~~a reserve for use in a year in which the Fund falls below the amount available in the previous year.~~ Such reserve may not exceed ~~\$20,000,000~~ \$50,000,000.



(B) The emergency reserve referred to in subparagraph (A) may be used for supplemental grants under section 10603b of this title and to supplement the funds available to provide grants to States for compensation and assistance in accordance with sections 10602 and 10603 of this title in years in which supplemental grants are needed.

(e) Amounts awarded and unspent

~~(1) Except as provided in paragraph (2), any sums~~ Any amount awarded as part of a grant under this chapter that remain unspent at the end of a fiscal year in which such grant is made may be expended for the purpose for which such grant is made at any time during the next ~~succeeding 2 fiscal year~~ years, at the end of which year period, any remaining unobligated sums in excess of \$500,000 shall be returned to ~~the general fund of the Treasury~~. Any remaining unobligated sums in amount less than \$500,000 shall be returned to the Fund.

~~(2) For the purposes of the application of paragraph (1) to any grant under this chapter with respect to fiscal year 1985, there shall be substituted in such paragraph "two succeeding fiscal years" for "succeeding fiscal year" and "which period" for "which year".~~

(f) "Offenses against the United States" as ~~not including~~ excluding  
As used in this section, the term "offenses against the United States" does not include--

(1) a criminal violation of the Uniform Code of Military Justice (10 U.S.C. 801 et seq.);

(2) an offense against the laws of the District of Columbia; and

(3) an offense triable by an Indian tribal court or Court of Indian Offenses.

(g) Grants for Indian tribes; child abuse cases

(1) The Attorney General, acting through the Director, shall use 15 percent of the funds available under subsection (d)(2) of this section to make grants for the purpose of assisting Native American Indian tribes in developing, establishing, and operating programs designed to improve--



(A) the handling of child abuse cases, particularly cases of child sexual abuse, in a manner which limits additional trauma to the child victim; and

(B) the investigation and prosecution of cases of child abuse, particularly child sexual abuse.

(2) As used in this subsection, the term "tribe" has the meaning given that term in section 450b(b) of Title 25.

**42 U.S.C. 10602      Sec. 1403. Crime victim compensation**

**(a) Authority of Director; grants**

(1) Except as provided in paragraph (2), the Director shall make an annual grant from the Fund to an eligible crime victim compensation program of 40 percent of the amounts awarded during the preceding fiscal year, other than amounts awarded for property damage. Except as provided in paragraph (3), a grant under this section shall be used by such program only for awards of compensation.

(2) If the sums available in the Fund for grants under this section are insufficient to provide grants of 40 percent as provided in paragraph (1), the Director shall make, from the sums available, a grant to each eligible crime victim compensation program so that all such programs receive the same percentage of the amounts awarded by such program during the preceding fiscal year other than amounts awarded for property damage.

(3) Not more than 5 percent of a grant made under this section may be used for the administration of the State crime victim compensation program receiving the grant.

**(b) Eligible crime victim compensation programs.**

A crime victim compensation program is an eligible crime victim compensation program for the purposes of this section if—

(1) such program is operated by a State and offers compensation to victims and survivors of victims of criminal violence, including drunk driving and domestic violence for—

(A) medical expenses attributable to a physical injury resulting



from compensable crime, including expenses for mental health counseling and care;

(B) loss of wages attributable to a physical injury resulting from a compensable crime; and

(c) funeral expenses attributable to a death resulting from a compensable crime;

(2) such program promotes victim cooperation with the reasonable requests of law enforcement authorities;

(3) such State certifies that grants received under this section will not be used to supplant State funds otherwise available to provide crime victim compensation;

(4) such program, as to compensable crimes occurring within the State, makes compensation awards to victims who are nonresidents of the State on the basis of the same criteria used to make awards to victims who are residents of such State;

(5) such program provides compensation to victims of Federal crimes occurring within the State on the same basis that such program provides compensation to victims of State crimes;

(6) such program provides compensation to residents of the State who are victims of crimes occurring outside the State if--

(A) the crimes would be compensable crimes had^ they occurred inside that State; and

are outside of the U.S. (if compensable crime is terrorism as defined in Section 2331 of title 18 of U.S. Code), or

(B) the places the crimes occurred in ^ are States not having eligible crime victim compensation programs;

(7) such program does not, except pursuant to rules issued by the program to prevent unjust enrichment of the offender, deny compensation to any victim because of that victim's familial relationship to the offender, or because of the sharing of a residence by the victim and the offender; and



(8) such program does not provide compensation to any person who has been convicted of an offense under Federal law with respect to any time period during which the person is delinquent in paying a fine, other monetary penalty, or restitution imposed for the offense; and

(8) (9) such program provides such other information and assurances related to the purposes of this section as the Director may reasonably require.

(c) Exclusion from income for purposes of means tests

Notwithstanding any other law, for the purpose of any maximum allowed income eligibility requirement in any Federal, State, or local government program using Federal funds that provides medical or other assistance (or payment or reimbursement of the cost of such assistance) that becomes necessary to an applicant for such assistance in full or in part because of the commission of a crime against the applicant, as determined by the Director, any amount of crime victim compensation that the applicant receives through a crime victims compensation program under this section shall not be included in the income of the applicant until the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime.

(d) Definitions. As used in this section--

(1) the term "property damage" does not include damage to prosthetic devices, eyeglasses or other corrective lenses or dental devices;

(2) the term "medical expenses" includes, to the extent provided under the eligible crime victim compensation program, expenses for eyeglasses and other corrective lenses, for dental services and devices and prosthetic devices, and for services rendered in accordance with a method of healing recognized by the law of the State;

(3) the term "compensable crime" means a crime the victims of which are eligible for compensation under the eligible crime victim compensation program, and includes, crimes involving terrorism, driving while intoxicated and domestic violence; and

(4) the term "State" includes the District of Columbia, the



Commonwealth of Puerto Rico, and any other possession or territory of the United States.

(e) Relationship to certain Federal programs.

Notwithstanding any other law, if the compensation paid by an eligible crime victim compensation program would cover costs that a Federal program, or a federally financed State or local program, would otherwise pay,--

(1) such crime victim compensation program shall not pay that compensation; and

(2) the other program shall make its payments without regard to the existence of the crime victim compensation program.

42 U.S.C. 10603

#### **Sec. 1404. Crime victim assistance**

(a) Grant authority of Director; chief executive of States; amount; insufficient funds

(1) Subject to the availability of money in the Fund, the Director shall make an annual grant from any portion of the Fund made available by section 10601(d)(2) of this title for the purpose of grants under this subsection, or for the purpose of grants under section 10602 of this title but not used for that purpose, to the chief executive of each State for the financial support of eligible crime victim assistance programs.

(2) Such chief executive shall--

(A) certify that priority shall be given to eligible crime victim assistance programs providing assistance to victims of sexual assault, spousal abuse, or child abuse;

(B) certify that funds shall be made available for grants to programs which serve previously underserved populations of victims of violent crime. The Director, after consultation with State and local officials and representatives from private organizations, shall issue guidelines to implement this section that provide flexibility to the States in determining the populations of victims of violent crimes that may be underserved in their respective States;



(c)certify that funds awarded to eligible crime victim assistance programs will not be used to supplant State and local funds otherwise available for crime victim assistance; and

(D) provide such other information and assurances related to the purposes of this section as the Director may reasonably require.

(3) The amounts of grants under paragraph (1) shall be--

(A) the base amount to each State; and

(B) that portion of the then remaining available money to each State that results from a distribution among the States on the basis of each State's population in relation to the population of all States.

(4) If the amount available for grants under paragraph (1) is insufficient to provide the base amount to each State, the funds available shall be distributed equally among the States.

(5) As used in this subsection, the term "base amount" means--

(A) ~~\$150,000 for fiscal years 1989 through 1991~~; except as provided in subparagraph (B), \$500,000; and

(B) ~~\$200,000 thereafter~~ for the territories of the Northern Mariana Islands, Guam, American Samoa and the Republic of Palau, \$200,000, with the Republic of Palau's share governed by the Compact of Free Association between the United States and the Republic of Palau.

(b) Eligibility of program; factors; limitation on expending of sums

(1) A victim assistance program is an eligible crime victim assistance program for the purposes of this section if such program--

(A) is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or of both such agencies and organizations, and provides services to victims of crime;

(B) demonstrates--



(I) a record of providing effective services to victims of crime and financial support from sources other than the Fund; or

(ii) substantial financial support from sources other than the Fund;

(c)utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;

(D) promotes within the community served coordinated public and private efforts to aid crime victims; and

(E) assists potential recipients in seeking crime victim compensation benefits.

(2) Except as provided in paragraph (3), an eligible crime victim assistance program shall expend sums received under subsection (a) of this section only for providing services to victims of crime.

(3) Not more than 5 percent of sums received under subsection (a) of this section may be used for the administration of the State crime victim assistance program receiving such sums.

~~(c)Grants authority of Director; availability of funds~~ Grants: purposes; distribution; duties of Director; reimbursement by Director

(1) The Director, shall make grants--

(A) for demonstration projects and training and technical assistance services to eligible crime victim assistance programs; and

(B) for the financial support of services to victims of Federal crime by eligible crime victim assistance programs.

(2) Of the amount available for grants under this subsection--

(A) not more than 50 percent shall be used for grants under paragraph (1)(A); and

(B) not less than 50 percent shall be used for grants under



paragraph (1)(B).

(3) The Director shall--

(A) be responsible for monitoring compliance with guidelines for fair treatment of crime victims and witnesses issued under section 6 of the Victim and Witness Protection Act of 1982 (Public Law 97-291);

(B) consult with the heads of Federal law enforcement agencies that have responsibilities affecting victims of Federal crimes;

(C) coordinate victim services provided by the Federal Government with victim services offered by other public agencies and nonprofit organizations; and

(D) perform such other functions related to the purposes of this title as the Director deems appropriate.

(4) The Director may reimburse other instrumentalities of the Federal Government and contract for the performance of functions authorized under this subsection.

(d) Definitions. As used in this section--

(1) the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and, ~~except for the purposes of paragraphs (3)(A) and (4) of subsection (a) of this section,~~ any other territory or possession of the United States; and

(2) the term "services to victims of crime" includes--

(A) crises intervention services;

(B) providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures;

(C) assistance in participating in criminal justice proceedings; and

(D) payment of all reasonable costs for a forensic medical examination of a crime victim, to the extent that such costs are



otherwise not reimbursed or paid;

(3) the term "services to victims of Federal crime" means services to victims of crime with respect to Federal crime, and includes--

(A) training of law enforcement personnel in the delivery of services to victims of Federal crime;

(B) preparation, publication, and distribution of informational materials--

(I) setting forth services offered to victims of crime; and

(ii) concerning services to victims of Federal crime for use by Federal law enforcement personnel; and

(c) salaries of personnel who provide services to victims of crime, to the extent that such personnel provide such services;

(4) the term "crises intervention services" means counseling to provide emotional support in crises arising from the occurrence of crime; and

(5) the term "chief executive" includes a person designated by a chief executive to perform the functions of the chief executive under this section.

**42 U.S.C. 10603a      Sec. 1404A. Child abuse prevention and treatment grants**

Amounts made available by section 10601(d)(2)(D) and (d)(3) of this title for the purposes of this section shall be obligated and expended by the Secretary of Health and Human Services for grants under section 5103(d) of this title. Any portion of an amount which is not obligated by the Secretary by the end of the fiscal year in which funds are made available for allocation, shall be reallocated for award under section 10603(a) of this title, except that with respect to funds deposited under fiscal year 1986 and made available for obligation during fiscal year 1987, any unobligated portion of such amount shall remain available for obligation until September 30, 1988.

**42 U.S.C. 10603b      Sec. 1404B. Compensation and assistance to victims of terrorism or mass violence**



**(a) Victims of acts of terrorism outside the United States**

The Director may make supplemental grants as provided in section 10603(a) of this title to States to provide compensation and assistance to the residents of such States who, while outside of the territorial boundaries of the United States, are victims of a terrorist act or mass violence and are not persons eligible for compensation under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

**(b) Victims of terrorism within the United States**

The Director may make supplemental grants as provided in section 10603(d)(4)(B) of this title to States for eligible crime victim compensation and assistance programs to provide emergency relief, including crisis response efforts, assistance, training, and technical assistance, for the benefit of victims of terrorist acts or mass violence occurring within the United States and may provide funding to United States Attorney's Offices for use in coordination with State victim compensation and assistance efforts in providing emergency relief.

**42 U.S.C. 10604**

**Sec. 1407. Administrative provisions**

(a) Authority of Director; establishment of rules and regulations; delegation of functions. The Director may establish such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Director under this chapter.

(b) Recordkeeping. Each recipient of sums under this chapter shall keep such records as the Director shall prescribe, including records that fully disclose the amount and disposition by such recipient of such sums, the total cost of the undertaking for which such sums are used, and that portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(c) Director; access; books and records; audits and examinations; expenditure of funds. The Director shall have access, for purpose of audit and examination, to any books, documents, papers, and records of the recipient of sums under this chapter that, in the opinion of Director, may be related to the expenditure of funds received under this chapter.

(d) Revealing research or statistical information; prohibition; immunity from legal proceedings; permission; admission of information as evidence. Except as otherwise provided by Federal law, no officer or



employee of the Federal Government, and no recipient of sums under this chapter, shall use or reveal any research or statistical information furnished under this chapter by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with this chapter. Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.

(e) Discrimination prohibited. No person shall on the ground of race, color, religion, national origin, handicap, or sex be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any undertaking funded in whole or in part with sums made available under this chapter.

(f) Failure to comply with provisions; notice and hearing; power of Director. If, after reasonable notice and opportunity for a hearing on the record, the Director finds that a State has failed to comply substantially with any provision of this chapter or a rule, regulation, guideline, or procedure issued under this chapter, or an application submitted in accordance with this chapter or the provisions of any other applicable law, the Director shall--

(1) terminate payments to such State;

(2) suspend payments to such State until the Director is satisfied that such noncompliance has ended; or

(3) take such other action as the Director deems appropriate.

(g) Reports; Congress and President; revenue derived and effectiveness. The Director shall, on December 31, 1990, and on June 30 every 2 years thereafter report to the President and to the Congress on the revenue derived from each source described in section 10601 of this title and on the effectiveness of the activities supported under this chapter. The Director may include in such report recommendations for legislation to improve this chapter.

(h) Maintenance of effort. Each entity receiving sums made available under this chapter for administrative purposes shall certify that such sums will not be used to supplant State or local funds, but will be used



to increase the amount of such funds that would, in the absence of Federal funds, be made available for these purposes.

42 U.S.C. 10605

**Sec. 1411. Establishment of Office for Victims of Crime**

(a) Office established within Department of Justice. There is established within the Department of Justice an Office for Victims of Crime (hereinafter in this chapter referred to as the "Office").

(b) Appointment of Director; authority; restrictions. The Office shall be headed by a Director (referred to in this chapter as the "Director"), who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall report to the Attorney General through the Assistant Attorney General for the Office of Justice Programs and shall have final authority for all grants, cooperative agreements, and contracts awarded by the Office. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other agreement under this part.

(c) Duties of Director. The Director shall have the following duties:

(1) Administering funds made available by section 10601 of this title.

(2) Providing funds to eligible States pursuant to sections 10602 and 10603 of this title.

(3) Establishing programs in accordance with section 10603(c) of this title on terms and conditions determined by the Director to be consistent with that subsection.

(4) Cooperating with and providing technical assistance to States, units of local government, and other public and private organizations or international agencies involved in activities related to crime victims.

(5) Such other functions as the Attorney General may delegate.

42 U.S.C. 10606

**Sec. 502. Victims' rights**

(a) Best efforts to accord rights. Officers and employees of the



Department of Justice and other departments and agencies of the United States engaged in the detection, investigation, or prosecution of crime shall make their best efforts to see that victims of crime are accorded the rights described in subsection (b) of this section.

(b) Rights of crime victims. A crime victim has the following rights:

(1) The right to be treated with fairness and with respect for the victim's dignity and privacy.

(2) The right to be reasonably protected from the accused offender.

(3) The right to be notified of court proceedings.

(4) The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.

(5) The right to confer with attorney for the Government in the case.

(6) The right to restitution.

(7) The right to information about the conviction, sentencing, imprisonment, and release of the offender.

(c) No cause of action or defense. This section does not create a cause of action or defense in favor of any person arising out of the failure to accord to a victim the rights enumerated in subsection (b) of this section.

42 U.S.C. 10607      **Sec. 503. Services to victims**

(a) Designation of responsible officials. The head of each department and agency of the United States engaged in the detection, investigation, or prosecution of crime shall designate by names and office titles the persons who will be responsible for identifying the victims of crime and performing the services described in subsection (c) of this section at each stage of a criminal case.

(b) Identification of victims. At the earliest opportunity after the detection of a crime at which it may be done without interfering with an investigation, a responsible official shall—



- (1) identify the victim or victims of a crime;
- (2) inform the victims of their right to receive, on request, the services described in subsection (c) of this section; and
- (3) inform each victim of the name, title, and business address and telephone number of the responsible official to whom the victim should address a request for each of the services described in subsection (c) of this section.

(c) Description of services.

(1) A responsible official shall—

(A) inform a victim of the place where the victim may receive emergency medical and social services;

(B) inform a victim of any restitution or other relief to which the victim may be entitled under this or any other law and manner in which such relief may be obtained;

(c) inform a victim of public and private programs that are available to provide counseling, treatment, and other support to the victim; and

(D) assist a victim in contacting the persons who are responsible for providing the services and relief described in subparagraphs (A), (B), and (C).

(2) A responsible official shall arrange for a victim to receive reasonable protection from a suspected offender and persons acting in concert with or at the behest of the suspected offender.

(3) During the investigation and prosecution of a crime, a responsible official shall provide a victim the earliest possible notice of—

(A) the status of the investigation of the crime, to the extent it is appropriate to inform the victim and to the extent that it will not interfere with the investigation;

(B) the arrest of a suspected offender;

(c) the filing of charges against a suspected offender;



(D) the scheduling of each court proceeding that the witness is either required to attend or, under section 10606(b)(4) of this title, is entitled to attend;

(E) the release or detention status of an offender or suspected offender;

(F) the acceptance of a plea of guilty or nolo contendere or the rendering of a verdict after trial; and

(G) the sentence imposed on an offender, including the date on which the offender will be eligible for parole.

(4) During court proceedings, a responsible official shall ensure that a victim is provided a waiting area removed from and out of the sight and hearing of the defendant and defense witnesses.

(5) After trial, a responsible official shall provide a victim the earliest possible notice of—

(A) the scheduling of a parole hearing for the offender;

(B) the escape, work release, furlough, or any other form of release from custody of the offender; and

(c) the death of the offender, if the offender dies while in custody.

(6) At all times, a responsible official shall ensure that any property of a victim that is being held for evidentiary purposes be maintained in good condition and returned to the victim as soon as it is no longer needed for evidentiary purposes.

(7) The Attorney General or the head of another department or agency that conducts an investigation of a sexual assault shall pay, either directly or by reimbursement of payment by the victim, the cost of a physical examination of the victim which an investigating officer determines was necessary or useful for evidentiary purposes. The Attorney General shall provide for the payment of the cost of up to 2 anonymous and confidential tests of the victim for sexually transmitted diseases, including HIV, gonorrhea, herpes, chlamydia, and syphilis, during the 12 months following sexual assaults that pose a risk of transmission, and the cost of a counseling session by a medically trained professional on the accuracy of such tests and the risk of transmission of sexually transmitted diseases to the victim as



the result of the assault. A victim may waive anonymity and confidentiality of any tests paid for under this section.

(8) A responsible official shall provide the victim with general information regarding the corrections process, including information about work release, furlough, probation, and eligibility for each.

(d) No cause of action or defense. This section does not create a cause of action or defense in favor of any person arising out of the failure of a responsible person to provide information as required by subsection (b) or (c) of this section.

(e) Definitions. For the purposes of this section—

(1) the term "responsible official" means a person designated pursuant to subsection (a) of this section to perform the functions of a responsible official under that section; and

(2) the term "victim" means a person that has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime, including--

(A) in the case of a victim that is an institutional entity, an authorized representative of the entity; and

(B) in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, one of the following (in order of preference):

(I) a spouse;

(ii) a legal guardian;

(iii) a parent;

(iv) a child;

(v) a sibling;

(vi) another family member; or

(vii) another person designated by the court.



**Closed circuit televised court proceedings for victims of crime**

**(a) In general**

**Notwithstanding any provision of the Federal Rules of Criminal Procedure to the contrary, in order to permit victims of crime to watch criminal trial proceedings in cases where the venue of the trial is changed--**

- (1) out of the State in which the case was initially brought; and**
- (2) more than 350 miles from the location in which those proceedings originally would have taken place;**

**the trial court shall order closed circuit televising of the proceedings to that location, for viewing by such persons the court determines have a compelling interest in doing so and are otherwise unable to do so by reason of the inconvenience and expense caused by the change of venue.**

**(b) Limited access**

**(1) Generally**

**No other person, other than official court and security personnel, or other persons specifically designated by the court, shall be permitted to view the closed circuit televising of the proceedings.**

**(2) Exception**

**The court shall not designate a person under paragraph (1) if the presiding judge at the trial determines that testimony by that person would be materially affected if that person heard other testimony at the trial.**

**(c) Restrictions**

- (1) The signal transmitted pursuant to subsection (a) of this section shall be under the control of the court at all times and shall only be transmitted subject to the terms and conditions imposed by the**



court.

(2) No public broadcast or dissemination shall be made of the signal transmitted pursuant to subsection (a) of this section. In the event any tapes are produced in carrying out subsection (a) of this section, such tapes shall be the property of the court and kept under seal.

(3) Any violations of this subsection, or any rule or order made pursuant to this section, shall be punishable as contempt of court as described in section 402 of Title 18.

**(d) Donations**

The Administrative Office of the United States Courts may accept donations to enable the courts to carry out subsection (a) of this section.

**(e) Construction**

(1) Nothing in this section shall be construed--

(i) to create in favor of any person a cause of action against the United States or any officer or employees thereof, or

(ii) to provide any person with a defense in any action in which application of this section is made.

**(f) Definition**

As used in this section, the term "State" means any State, the District of Columbia, or any possession or territory of the United States.

**(g) Rules**

The Judicial Conference of the United States, pursuant to its rule making authority under section 331 of Title 28, may promulgate and issue rules, or amend existing rules, to effectuate the policy addressed by this section. Upon the implementation of such rules, this section shall cease to be effective.

**(h) Effective date**



**This section shall only apply to cases filed after January 1, 1995.**



# **Appendix I**

## **Crime Victim Compensation Fund**

**<http://www.legis.state.wv.us/joint/victims/main.cfm>**



# **Appendix J**

## **Forensic Medical Fund**

**<http://www.wvpai.org/forensic.htm>**



# Forensic Medical Examination Fund INVOICE

Date:

TO: (Prosecuting Attorney's Name and Office Address)

REMIT PAYMENT TO: (Hospital's Name and Billing Address)

Forensic Medical Examination		
Name of Victim	Date of Alleged Offense	Fee
		\$
Pediatric Exam _____ Adult Exam _____	Hospital Invoice #	

*Attached statement of itemized charges*

Certification/ Authorization:

I, \_\_\_\_\_, Prosecuting Attorney, or Law Enforcement Officer of \_\_\_\_\_ County, West Virginia, do hereby certify that the charges listed above were for the purpose of performing a forensic medical examination pursuant to an investigation of an alleged sexual assault in accordance with West Virginia Code section 61-8B-1.

\_\_\_\_\_  
Prosecuting Attorney/ Law Enforcement Officer

\_\_\_\_\_  
County/ Detachment

Please attach this form and the original hospital invoice and forward to:

WV Prosecuting Attorneys Institute  
Attn: FMEF  
90 MacCorkle Ave, SW, Ste 202  
South Charleston, WV 25303



**Senate Bill No. 529**

(By Senators Kessler, Sprouse, Minard, Plymale and Jenkins)

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[Introduced February 9, 2007; referred to the Committee on the Judiciary; and then to the Committee on Finance.]

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A BILL to amend and reenact §61-8B-16 of the Code of West Virginia, 1931, as amended, relating to prohibiting any requirement that an alleged victim of a sexual offense must pay for the costs of a forensic examination.

*Be it enacted by the Legislature of West Virginia:*

That §61-8B-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 8B. SEXUAL OFFENSES.**

**§61-8B-16. Payment for costs of forensic medical examination.**

(a) When any person alleges that he or she has been the victim of an offense proscribed by this article, the West Virginia prosecuting attorneys institute shall pay to a licensed medical facility from the forensic medical examination fund the cost of the forensic medical examination for the alleged victim on the following conditions and in the following manner:

- (1) The payment shall cover all reasonable, customary and usual costs of the forensic medical examination;
  - (2) The costs of additional nonforensic procedures performed by the licensed medical facility, including, but not limited to, prophylactic treatment, treatment of injuries, testing for pregnancy and testing for sexually transmitted diseases, may not be paid from the fund;
  - (3) The forensic medical examination must have been conducted within a reasonable time of the alleged violation;
  - (4) The licensed medical facility must apply for payment of the costs of a forensic medical examination from the fund within a reasonable time of the examination;
  - (5) The licensed medical facility shall certify that the forensic medical examination was performed and that the evidence kit was submitted to the investigating law-enforcement officer and it shall, additionally, submit a statement of charges to the West Virginia prosecuting attorneys institute for payment from the fund.
- (b) No licensed medical facility may collect the costs of a forensic medical examination from the alleged victim of a violation of this article or from the alleged victim's insurance coverage, if any.

NOTE 1: The purpose of this bill is to prohibit any requirement that an alleged victim of a sexual offense must pay for the costs of a forensic examination.

NOTE 2: This bill becomes effective law in June 2007.



**TITLE 168  
PROCEDURAL RULE  
PROSECUTING ATTORNEYS INSTITUTE**

**SERIES 1  
PAYMENT FOR COSTS OF FORENSIC MEDICAL EXAMINATION**

**§168-1-1. General.**

1.1. Scope. -- This rule outlines procedures for paying the costs of forensic medical examinations for victims of sexual offenses from the forensic medical examination fund administered by the West Virginia Prosecuting Attorneys Institute. This rule is not intended to set standards for the conduct of a criminal investigation or to affect in any manner the admissibility of evidence.

1.2. Authority. -- W. Va. Code §61-8b-18.

1.3. Filing Date. -- June 3, 2002.

1.4. Effective Date. -- July 3, 2002.

**§168-1-2. Definitions.**

2.1. Terms Defined by Statute -- Terms defined in W. Va. Code §61-8B have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.

2.2. Terms Defined -- As used in this rule, the following terms have the following meanings unless the context or subject matter clearly requires a different interpretation:

2.2.1. "Licensed health care professional" means a state-licensed health care professional licensed, registered or certified under Chapter 30 of the W. Va. Code.

2.2.2. "Licensed medical facility" or "hospital" means a hospital, critical access hospital or other health facility licensed under W. Va. Code §16-5B, a similarly licensed out-of-state

hospital that accepts West Virginia medicaid patients in a county adjacent to the West Virginia county in which venue lies, or a facility authorized and operated under W. Va. Code §16-2.

2.2.3. "Physician" means a physician licensed under W. Va. Code §§30-3 or 30-14.

2.2.4. "Sexual assault nurse examiner" or "SANE" means a registered nurse who has received at least forty (40) hours of sexual assault nurse examiner classroom training in the area of sexual assault through an accredited school of nursing or a program approved for continuing education credit by the West Virginia Board of Examiners of Registered Professional Nurses, and who has completed the associated clinical experience requirement.

**§168-1-3. Responsibilities of the Licensed Medical Facility.**

3.1. In order to be eligible for and to receive reimbursement for conducting forensic medical examinations, a licensed medical facility must comply with the following procedures:

3.1.1. Each hospital performing medical examinations must use either the WV State Police Sexual Assault Kit or kits containing, at a minimum, the items contained in the WV State Police Sexual Assault Kit. Each hospital may order sexual assault kits free of charge from the WV State Police.

3.1.2. If an investigating officer is not present at the time the alleged victim arrives at the hospital, an investigating officer or local police agency should be contacted immediately through



county where the alleged offense occurred in order for the prosecutor to approve conducting the forensic medical examination.

4.1.3. When the prosecuting attorney or assistant prosecuting attorney in the county where the alleged offense occurred is unavailable to give approval to the hospital to conduct a forensic medical exam, the investigating officer may give approval for the administration of the exam. If the investigating officer approves the exam, that officer must complete and sign the Forensic Medical Examination Fund Certification Form.

4.1.4. Regardless of who initially approves the examination, the prosecuting attorney in the county where the alleged offense occurred must sign the certification form for payment to be authorized. Therefore, the investigating officer must send a certification form signed by the officer or police agency to the appropriate prosecuting attorney. An investigating officer may transmit a signed form by fax.

4.1.5. Upon completion of the forensic medical exam, the investigating officer is responsible for promptly transferring all evidence to the WV State Police Crime Laboratory in South Charleston, West Virginia for evaluation.

#### **§168-1-5. Responsibilities of the Prosecuting Attorney.**

5.1. The prosecuting attorney is responsible for the following duties:

5.1.1. The prosecuting attorney or an assistant prosecuting attorney in the county where the alleged sexual offense occurred will be notified by the licensed medical facility prior to administering the forensic medical exam. If the prosecuting attorney or assistant prosecuting attorney agrees that the examination is in connection with a criminal investigation in that county, the prosecutor shall authorize the forensic medical examination and shall complete and sign a Forensic Medical Examination Fund Certification Form. If the prosecuting attorney or

assistant prosecuting attorney from the appropriate county cannot be reached, the investigating officer or local police agency may approve conducting the examination.

5.1.2. Following completion of the forensic medical exam, the licensed medical facility will send an original examination invoice to the prosecuting attorney in the county where the alleged offense occurred.

5.1.3. The prosecuting attorney shall review the forensic information presented in the invoice. If appropriate, the prosecuting attorney shall certify that the examination was conducted as part of a criminal investigation. When a law enforcement officer authorized the initial examination, the prosecuting attorney may add his or her certification on the same form. The completed certification form should be attached to the original invoice.

5.1.4. The prosecuting attorney shall forward as quickly as possible, but in any event within a reasonable time, the invoice and completed certification form to the WV Prosecuting Attorneys Institute at its regular business address, Attention: Forensic Medical Examination Fund.

5.1.5. Upon approval by the State Auditor, the Prosecuting Attorneys Institute may accept faxed transmittals of the certification form and first original invoice. When transmitting documents by fax, the Prosecuting Attorney shall keep the original documents on file in his or her office.

#### **§168-1-6. Responsibilities of Prosecuting Attorneys Institute.**

6.1. Upon receipt of an original invoice and a Prosecuting Attorney's certificate in proper form the Prosecuting Attorneys Institute shall promptly transmit, at intervals no less often than monthly, all necessary documentation, in a form acceptable to the Auditor, to the Department of Administration for computer entry and further payment processing.



**TITLE 168  
PROCEDURAL RULE  
PROSECUTING ATTORNEYS INSTITUTE**

**SERIES 1  
PAYMENT FOR COSTS OF FORENSIC MEDICAL EXAMINATION**

**§168-1-1. General.**

1.1. Scope. -- This rule outlines procedures for paying the costs of forensic medical examinations for victims of sexual offenses from the forensic medical examination fund administered by the West Virginia Prosecuting Attorneys Institute. This rule is not intended to set standards for the conduct of a criminal investigation or to affect in any manner the admissibility of evidence.

1.2. Authority. -- W. Va. Code §61-8b-18.

1.3. Filing Date. -- September 23, 2009.

1.4. Effective Date. -- November 1, 2009.

**§168-1-2. Definitions.**

2.1. Terms Defined by Statute -- Terms defined in W. Va. Code §61-8B have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.

2.2. Terms Defined -- As used in this rule, the following terms have the following meanings unless the context or subject matter clearly requires a different interpretation:

2.2.1. "Licensed health care professional" means a state-licensed health care professional licensed, registered or certified under Chapter 30 of the W. Va. Code.

2.2.2. "Licensed medical facility" or "hospital" means a hospital, critical access hospital or other health facility licensed under W. Va. Code §16-5B, a similarly licensed out-of-state hospital that accepts West Virginia medicaid patients in a county adjacent to the West Virginia county in which venue lies, or a facility authorized and operated under W. Va. Code §16-2.

2.2.3. "Physician" means a physician licensed under W. Va. Code §§30-3 or 30-14.

2.2.4. "Sexual assault nurse examiner" or "SANE" means a registered nurse who has received at least forty (40) hours of sexual assault nurse examiner classroom training in the area of sexual assault through an accredited school of nursing or a program approved for continuing education credit by the West Virginia Board of Examiners of Registered Professional Nurses, and who has completed the associated clinical experience requirement.

**§168-1-3. Responsibilities of the Licensed Medical Facility.**

3.1. In order to be eligible for and to receive reimbursement for conducting forensic medical examinations, a licensed medical facility must comply with the following procedures:

3.1.1. Each hospital performing medical examinations must use either the WV State Police Sexual Assault Kit or kits containing, at a minimum, the items contained in the WV State Police Sexual



Assault Kit. Each hospital may order sexual assault kits free of charge from the WV State Police.

3.1.2. Where an alleged victim of an alleged violation of W. Va. Code §61-8b ET SEQ. chooses to participate in an investigation of said alleged violation and if an investigating officer is not present at the time the alleged victim arrives at the hospital, a law enforcement officer should be contacted immediately through appropriate emergency channels.

3.1.3. Prior to conducting a forensic medical examination, the examining physician or SANE will explain to the alleged victim what a sexual assault examination involves and determine whether the victim wishes to participate in an investigation regarding the alleged sex crimes violation and document said decision in writing. The obtaining of additional consents included in the sexual assault kit and any additional consents which may be required by law is the responsibility of the hospital.

3.1.4. If possible, the forensic medical examination should be conducted by a physician, a sexual assault nurse examiner (SANE), a physician assistant working under the direct supervision of a physician, or an advanced practice nurse. Recognizing, however, that sensitivity to the needs of a victim of sexual assault may preclude delays in conducting the examination, payment will not be refused based on qualifications of the medical personnel performing the examination when the forensic medical examination is conducted by a licensed health care professional acting within the scope of practice at a licensed medical facility.

3.1.5. Hospital personnel should take note of any physical evidence, such as statements made by the alleged victim, as well as articles of clothing, etc. It is strongly recommended that the hospital preserve documents concerning this evidence and record the methods of collection.

3.1.6. Where an alleged victim of an alleged violation of W. Va. Code §61-8b ET SEQ. chooses to participate in an investigation of said alleged violation, after gathering the forensic evidence, the sexual assault kit shall be sealed and turned over to the investigating officer or police agency. Any and all other evidence collected by hospital staff shall also be turned over to the investigating officer or police agency. Where an alleged victim of an alleged violation of W. Va. Code §61-8b ET SEQ. chooses not to participate in an investigation of said alleged violation hospital personnel will be responsible for preparing the forensic evidence to be transported in such a manner and to such a location as is designated in the instructions accompanying the WV State Police Sexual Assault Kits.

3.1.7. Following the completion of a forensic medical examination, the hospital shall submit a certification that such an examination was performed and may submit, within a reasonable time of the date of examination, an original invoice for the forensic medical examination to the West Virginia Prosecuting Attorneys Institute at its regular business address, Attention: Forensic Medical Examination Fund. The invoice shall contain the name of the alleged victim and the date of the alleged offense.

3.1.8. Reimbursement from the Fund is limited to \$350.00 for the cost of a forensic medical examination or, when that sum appears to be less than all reasonable, customary and usual costs of the forensic medical examination, a greater sum determined by resolution of the Executive Counsel of the West Virginia Prosecuting Attorneys Institute after consultation with providers and consideration of the limits of available funding. A licensed medical facility may not bill the alleged victim, or the alleged victim's insurance company, of an alleged violation for costs of a forensic medical examination.



**§168-1-4. Responsibilities of Law Enforcement Agencies.**

4.1. When contacted an investigating officer or law enforcement agency is responsible for the following duties:

4.1.1. The investigating officer should inform the victim upon arrival at the hospital that the Forensic Medical Examination Fund will pay for the cost of the forensic medical examination. The investigating officer may not require an alleged victim's agreement to pursue prosecution of the case as a condition precedent to obtaining the examination. Payment from the fund may not be refused for the reason that the victim later fails or refuses to cooperate in a criminal prosecution.

4.1.2. The investigating officer is responsible for contacting the prosecuting attorney or assistant prosecuting attorney in the county where the alleged offense occurred to alert said prosecuting attorney or assistant prosecuting attorney of the investigation.

4.1.3. Upon completion of the forensic medical exam, the investigating officer is responsible for promptly transferring all evidence to the WV State Police Crime Laboratory in South Charleston, West Virginia for evaluation.

**§168-1-5. Responsibilities of Prosecuting Attorneys Institute.**

5.1. Upon receipt of certification that an examination was performed and an original invoice in proper form the Prosecuting Attorneys Institute shall promptly transmit, at intervals no less often than monthly, all necessary documentation, in a form acceptable to the Auditor, to the Department of Administration for computer entry and further payment processing.

**§168-1-6. Limitations on Use of Fund.**

6.1. A licensed medical facility performing a forensic medical examination must conduct the exam within a reasonable time of the alleged sexual assault in order to be eligible for reimbursement from the Fund. Generally, in order to obtain usable evidence, a reasonable time is as soon as possible and should not exceed ninety-six (96) hours after the time of the alleged assault. If, however, in the judgment of the physician, sexual assault nurse examiner (SANE), physician assistant working under the direct supervision of a physician or the advanced practice nurse, special circumstances exist and the forensic examination should be conducted even after the passage of ninety-six (96) hours such examination will be considered to be conducted within a reasonable time.

6.2. Medical exams are primarily restricted to the collection of forensic evidence.

6.3. The West Virginia Forensic Medical Examination Fund covers only the cost of forensic medical exams. The Fund does not cover the cost of any treatment of injuries, pregnancy prevention or additional testing for pregnancy or sexually transmitted diseases.



## **APPENDIX K**

### **West Virginians Against Violence Committee**



## **WEST VIRGINIANS AGAINST VIOLENCE COMMITTEE**

---

**1<sup>st</sup> Sergeant Shallon Oglesby (Chair)**

**West Virginia State Police**  
*Law Enforcement Representative*

**Felicia Bush (Vice Chair)**  
**Underserved Populations Advocate**  
*Underserved Populations Representative*

**VACANT**

**West Virginia Supreme Court of Appeals**  
*Court Representative*

**Joyce Yedlosky**  
**West Virginia Coalition Against Domestic Violence**  
*Domestic Violence Representative*

**Tracy Dorsey Chapman**  
**U.S. Attorney's Office, Southern District**  
*Federal Victim Assistance Representative*

**Christina Mehler Frizzell**  
**U.S. Attorney's Office, Northern District**  
*Federal Victim Assistance Representative*

**Ed Kornish**  
**McDowell County Prosecuting Attorneys Office**  
*Prosecution Representative*

**Cheryl Chandler**  
**Mercer County Resident**  
*Crime Victim Representative*

**Andrea Darr**  
**WV Center for Children's Justice**  
*Child Representative*

**Marla Willcox Eddy**  
**West Virginia Foundation on Rape Information and Services**  
*Sexual Assault Representative*

**Reverend Kay Albright**  
**Bridges of Grace United Church of Christ**  
*Faith-Based Organization Representative*

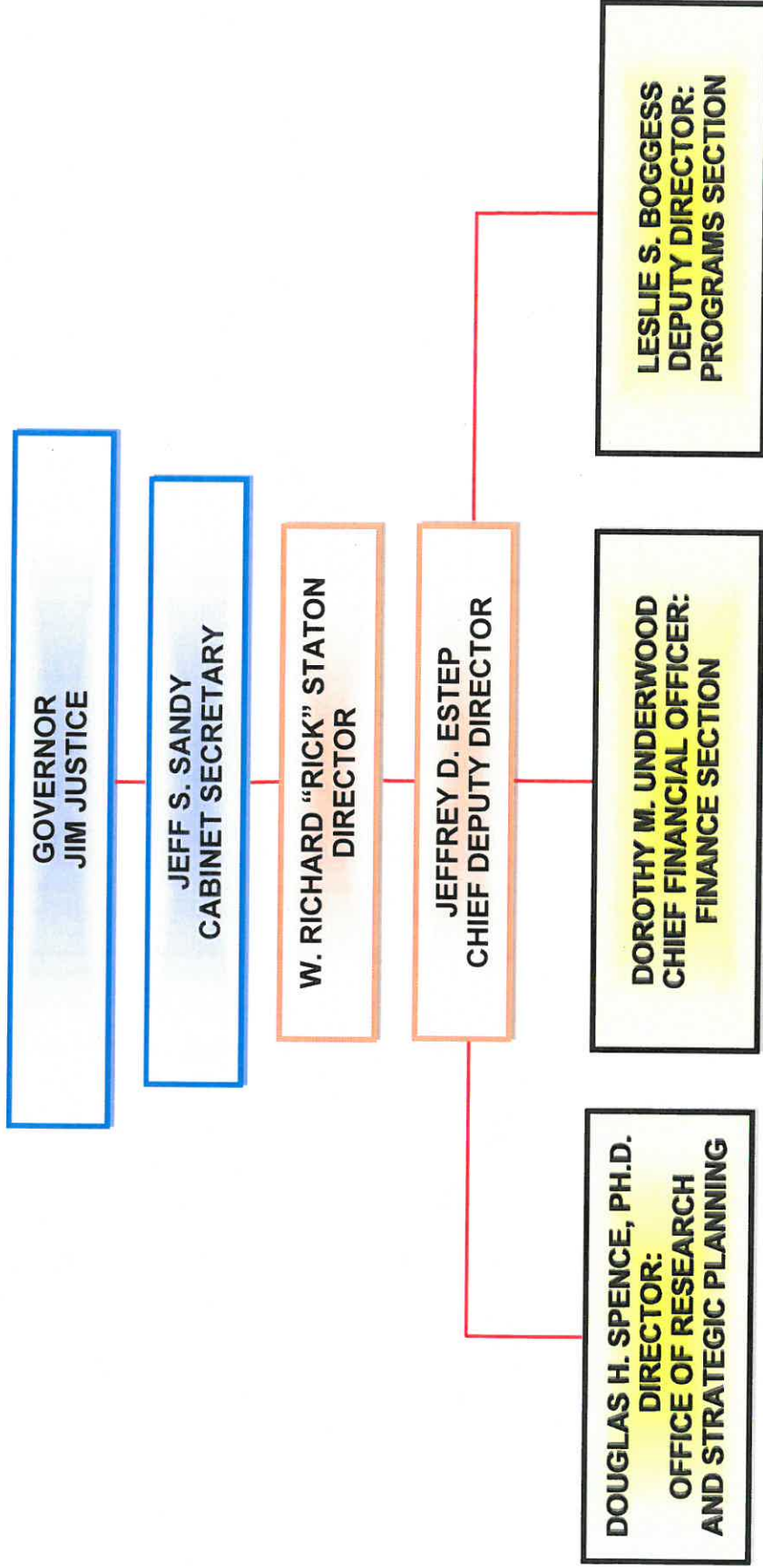


## **Appendix L**

### **DJCS Organizational Chart**



**STATE OF WEST VIRGINIA  
DIVISION OF JUSTICE AND COMMUNITY SERVICES**





**STATE OF WEST VIRGINIA**  
**DIVISION OF JUSTICE AND COMMUNITY SERVICES**  
Programs Section

**W. RICHARD "RICK" STATON**  
**DIRECTOR**

**JEFFREY D. ESTEP**  
**CHIEF DEPUTY DIRECTOR**

**LESLIE S. BOGGESS**  
**DEPUTY DIRECTOR**

**Retired Captain Chuck Sadler**  
**Law Enforcement Professional Standards**  
**State Coordinator**

**Judy Strickland**  
**Administrative Secretary**

**Alicia Holman**  
**Criminal Justice**  
**Specialist II**

**Barbara J. White**  
**Administrative Secretary**  
**Support Services Supervisor**

**Vacant**  
**Secretary I**

**Patricia Knight**  
**Secretary I**

**Judy Sneed**  
**Office Assistant II**

**Adam W. Collins**  
**Office Assistant II**

**VACANT**  
**Criminal Justice Specialist III**

**VACANT**  
**Criminal Justice Specialist I**

**Vacant**  
**Criminal Justice Specialist I**

**Marty Hatfield**  
**Criminal Justice Specialist II**

**Randall Shoemaker**  
**Criminal Justice Specialist II (Monitor)**

**Tanisha Travis**  
**Criminal Justice Specialist III**

**Vacant**  
**Criminal Justice Specialist II**

**John Stigall**  
**Criminal Justice Specialist II (JJ Monitor)**

**Sarah E. Bryant**  
**Criminal Justice Specialist I**

**Leslie R. Roberts**  
**Criminal Justice Specialist II**

**Jonathan Culbertson**  
**Criminal Justice Specialist I (Monitor)**

**VACANT**  
**Criminal Justice Specialist I (SAFE)**

**Sarah J. Brown**  
**Criminal Justice Specialist III**

**Vacant**  
**Criminal Justice Specialist I (VOCA Specialist)**

**Garrett Rinehart**  
**Criminal Justice Specialist I**

**Paula R. Graves**  
**Criminal Justice Specialist II**



**STATE OF WEST VIRGINIA**  
**DIVISION OF JUSTICE AND COMMUNITY SERVICES**  
Finance Section

**W. RICHARD "RICK" STATON**  
**DIRECTOR**

**JEFFREY D. ESTEP**  
**CHIEF DEPUTY DIRECTOR**

**DOROTHY M. UNDERWOOD**  
**CHIEF FINANCIAL OFFICER**

VACANT  
Accountant III

Matthew Dayhaw  
Accountant III

Ryan O. Garnes  
Accountant III

VACANT  
Administrative Services  
Assistant II

Elizabeth A. Strawn  
Accountant Technician III

Pina Sangani  
Accountant III  
(VOCA)



**STATE OF WEST VIRGINIA**  
**DIVISION OF JUSTICE AND COMMUNITY SERVICES**  
**Office of Research and Strategic Planning**

**W. RICHARD "RICK" STATON**  
**DIRECTOR**

**JEFFREY D. ESTEP**  
**CHIEF DEPUTY DIRECTOR**

**DOUGLAS H. SPENCE, PH.D.**  
**DIRECTOR**

**STATISTICAL ANALYSIS CENTER**

**Erica Turley**  
**Research Specialist II**

**VACANT**  
**Research Specialist III**

**Gary Zhang**  
**Research Specialist I**

**Monica Sterling**  
**Administrative Services Assist. I**

**JUSTICE CENTER FOR EVIDENCE BASED PRACTICE**

**VACANT**  
**Research Specialist I**

**Maria Orsini**  
**Research Specialist II**

**VACANT**  
**Research Specialist I**

**Jordyn Reed**  
**Research Specialist I**

**VACANT**  
**Research Specialist I**



# **Appendix M**

## **VAWA Annual Report**



**U.S. Department of Justice  
Office on Violence Against Women**

**ANNUAL PROGRESS REPORT FOR  
STOP Violence Against Women  
Formula Grant Program**

**Brief Instructions:** This form must be completed for all STOP Violence Against Women Formula Grant Program (STOP Program) subgrants received. The grant administrator or coordinator must ensure that the form is completed. Grant partners, however, may complete sections relevant to their portion of the grant. Grant administrators and coordinators are responsible for compiling and submitting a single report that reflects all information collected from grant partners.

All subgrantees should read each section to determine which questions they must answer, based on the activities supported under this subgrant during the current reporting period. Sections B and F of this form must be completed by all subgrantees. Subsections A1 and C2 must be answered by all subgrantees. In sections D, E, and subsections A2, C1, and C3-C7, subgrantees must answer an initial question about whether they supported certain activities during the current reporting period. If the response is yes, then the subgrantee must complete that section or subsection. If the response is no, the rest of that section or subsection is skipped.

For example, 1) if you are a victim services agency providing training and victim services with staff funded under this grant, you would complete A1, A2, B, C1, C2, D, and F (and answer 'no' in C3-C7, and E1-5); or 2) if you are a law enforcement agency receiving funds to pay for staff who provide training to other law enforcement, you would complete A1, A2, B, C1, C2, and F (and answer 'no' in C3, C7, D, and E1-5).

If you are required to provide a match for your STOP Program subgrant, report on activities supported with this match. The activities of volunteers or interns may be reported if they are coordinated or supervised by STOP Program-funded staff or if STOP Program funds substantially support their activities.

For further information on filling out this form, refer to the separate instructions, which contain detailed definitions and examples illustrating how questions should be answered.

SECTION	Page Number
Section A: General Information	1
A1: Grant Information	1
A2: Staff Information	3
Section B: Purpose Areas	4
Section C: Function Areas	5
C1: Training	5
C2: Coordinated Community Response	8
C3: Policies	10
C4: Products	13
C5: Data Collection and Communication Systems	14
C6: Specialized Units	15
C7: System Improvement	16
Section D: Victim Services	17
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SECTION  
**A1**

## GENERAL INFORMATION

### Grant Information

All subgrantees must complete this subsection.

1. Date of report  (format date with 6 digits - 01/31/07)
2. Current reporting period January 1- December 31 (Year)
3. Subgrantee name Test
4. Subgrant number(s) for each subgrant award under which activities were supported during the current reporting period  
(List the numbers for all subgrants supporting activities engaged in during the current reporting period.)
- |                      |                      |                      |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
5. Type of funded organization  
(Check the one answer that best describes the organization receiving the STOP Program subgrant.)
- |   |   |
|---|---|
| <input type="checkbox"/> Community-based organization                                       | <input type="checkbox"/> Prosecution  |
| <input type="checkbox"/> Court  | <input type="checkbox"/> Sexual assault program                                 |
| <input type="checkbox"/> Domestic violence program  | <input type="checkbox"/> Sexual assault state coalition                         |
| <input type="checkbox"/> Domestic violence state coalition                                  | <input type="checkbox"/> Tribal coalition                                       |
| <input type="checkbox"/> Dual program (sexual assault and domestic violence)                | <input type="checkbox"/> Tribal government                                      |
| <input type="checkbox"/> Dual state coalition (sexual assault and domestic violence)        | <input type="checkbox"/> Tribal sexual assault and/or domestic violence program |
| <input type="checkbox"/> Government agency (Department of Human Services, Bureau of Health) | <input type="checkbox"/> Unit of local government                               |
| <input type="checkbox"/> Law enforcement  | <input type="checkbox"/> University/school                                      |
| <input type="checkbox"/> Probation, parole, or other correctional agency                    | <input type="checkbox"/> Other (specify): <input type="text"/>                  |
- 5a. Is this a faith-based organization?  
☐ Yes ☐ No
- 5b. Is this a culturally-specific community-based organization?  
☐ Yes ☐ No



**6. Point of contact**

(person responsible for the day-to-day coordination of the subgrant)

First name \_\_\_\_\_ MI \_\_\_\_\_ Last name \_\_\_\_\_

Agency/organization name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State  Zip code \_\_\_\_\_

Telephone \_\_\_\_\_ Facsimile \_\_\_\_\_

E-mail \_\_\_\_\_

**7. Does this subgrant specifically address tribal populations?**

(Check yes if your STOP Program subgrant focuses on tribal populations and indicate which tribes or nations you served or intend to serve.)

☐ Yes ☐ No If yes, which tribes/nations:

**8. What percentage of your STOP Program subgrant was directed to each of these areas?**

(Report the area[s] addressed by your STOP Program subgrant during the current reporting period and estimate the approximate percentage of funds [or resources] used to address each area [consider training, victim services, etc.]. The subgrantee may choose how to make this determination.)

Throughout this form, the term **sexual assault** includes both assaults committed by offenders who are strangers to the victim/survivor and assaults committed by offenders who are known to, related by blood or marriage to, or in a dating relationship with the victim/survivor. The term **domestic violence/dating violence** applies to any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner or dating partner. **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. (See separate instructions for more complete definitions.)

	Percentage of subgrant funds
Sexual assault	<input type="text"/>
Domestic violence/dating violence	<input type="text"/>
Stalking	<input type="text"/>
<b>TOTAL (must equal 100 percent)</b>	<input type="text"/> 0%



SECTION  
**A2**

## Staff Information

### Were STOP Program grant funds used to fund staff positions during the current reporting period?

(Check yes if STOP Program funds were used to pay staff, including part-time staff and contractors.)

- ☐ Yes—answer question 9  
☐ No—skip to Section B

### 9. Staff

(Report the total number of full-time equivalent (FTE) staff funded by the STOP Program subgrant during the current reporting period. Report staff by the function(s) performed, not by title or location. Include employees who are part-time and/or only partially funded with these subgrant funds as well as consultants/contractors. Include employees who are funded with any required grant match. Report grant-funded overtime. If an employee or contractor was employed or utilized for only a portion of the reporting period, prorate appropriately. For example, if you hired a full-time advocate in October who was 100% funded with STOP Program funds, you would report that as .25 FTE. Report all FTEs in decimals, not percentages. One FTE is equal to 2,080 hours—40 hours per week x 52 weeks. See separate instructions for examples of how to calculate FTEs.)

Staff	FTE(s)
Administrator (fiscal manager, executive director)	
Attorney (does not include prosecutor)	
Counselor	
Court personnel	
Information technology staff	
Investigator (prosecution-based)	
Law enforcement officer	
Legal advocate (does not include attorney or paralegal)	
Paralegal	
Probation officer/offender monitor	
Program coordinator (training coordinator, volunteer coordinator, hotline coordinator, victim services coordinator)	
Prosecutor	
Sexual assault nurse examiner/sexual assault forensic examiner (SAFE/SANE)	
Support staff (administrative assistant, bookkeeper, accountant)	
Trainer	
Translator/interpreter	
Victim advocate (non-governmental, includes domestic violence, sexual assault, and dual)	
Victim assistant (governmental, includes victim-witness specialist/coordinator)	
Other (specify): <input type="text"/>	
<b>TOTAL</b>	<b>0.00</b>



SECTION **B**

## PURPOSE AREAS

All subgrantees must complete this section.

### 10. Statutory purpose areas

(Check all purpose areas that apply to activities supported with STOP Program funds during the current reporting period.)

Check ALL that apply	Purpose areas
<input type="checkbox"/>	Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including crimes of sexual assault, domestic violence, and dating violence.
<input type="checkbox"/>	Specialized units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
<input type="checkbox"/>	Police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault and domestic violence.
<input type="checkbox"/>	Data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence.
<input type="checkbox"/>	Victim services programs, including sexual assault, domestic violence and dating violence programs; delivery of victim services to underserved populations; specialized domestic violence court advocates in courts where a significant number of protection orders are granted; and increased reporting and reduced attrition rates for cases involving violent crimes against women, including crimes of sexual assault, domestic violence, and dating violence.
<input type="checkbox"/>	Programs to address stalking.
<input type="checkbox"/>	Addressing the needs and circumstances of American Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault and domestic violence.
<input type="checkbox"/>	Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim service agencies, and other state agencies and departments to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
<input type="checkbox"/>	Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
<input type="checkbox"/>	Programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of sexual assault or domestic violence, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victims' services to such older and disabled individuals.
<input type="checkbox"/>	Assisting victims of sexual assault and domestic violence in immigration matters.
<input type="checkbox"/>	Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families.
<input type="checkbox"/>	Supporting the placement of special victim assistants (to be known as "Jessica Gonzales Victim Assistants") in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders.
<input type="checkbox"/>	To provide funding to law enforcement agencies, nonprofit nongovernmental victim services providers, and State, tribal, territorial, and local governments, (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote <ul style="list-style-type: none"> <li>The development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as "Crystal Judson Victim Advocates," to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;</li> <li>The development (in collaboration with State, Tribal, territorial and local victim services providers and domestic violence coalitions) and implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies.</li> </ul>



SECTION  
**C1**

## FUNCTION AREAS

### Training

#### Were your STOP Program funds used for training during the current reporting period?

Check yes if STOP Program-funded staff provided training or if subgrant funds were used to directly support training.

- ☐ Yes—answer questions 11-14  
☐ No—skip to C2

#### 11. Training events provided

(Report the total number of training events provided during the current reporting period that were either provided by STOP Program-funded staff or directly supported by STOP Program subgrant funds. Do not include training provided to STOP Program-funded staff. For purposes of this reporting form, **training** means providing information on sexual assault, domestic violence, dating violence, and stalking that enables professionals to improve their response to victims/survivors as it relates to their role in the system.)

Total number of training events provided

#### 12. Number of people trained

(Report the number of people trained during the current reporting period by STOP Program-funded staff or training supported by STOP Program funds. Use the category that is most descriptive of the people who attended the training event. STOP Program-funded staff who attended training events should not be counted as people trained. If you do not know how many people to report in specific categories, you may report the overall number in "Multidisciplinary," but this category should be used only as a last resort. Do not include staff funded under your STOP Program grant who attended staff development events.)

People trained	Number
Advocacy organization staff (NAACP, AARP)	
Attorneys/law students (does not include prosecutors)	
Batterer intervention program staff	
Correction personnel (probation, parole, and correctional facilities staff)	
Court personnel (judges, clerks)	
Disability organization staff (non-governmental)	
Educators (teachers, administrators, etc.)	
Elder organization staff (non-governmental)	
Faith-based organization staff	
Government agency staff (vocational rehabilitation, food stamps, TANF)	
Health professionals (doctors, nurses—does not include SANEs or SAFEs)	
Immigrant organization staff (non-governmental)	
Law enforcement officers	
Legal services staff (does not include attorneys)	
Mental health professionals	
Military command staff	
Multidisciplinary (various disciplines at same training)	
Prosecutors	
Sex offender treatment providers	
Sexual assault nurse examiners/sexual assault forensic examiners	
Social service organization staff (non-governmental—food bank, homeless shelter)	
Substance abuse organization staff	
Supervised visitation and exchange center staff	
Translators/interpreters	
Tribal government/Tribal government agency staff	
Victim advocates (non-governmental, includes sexual assault, domestic violence, and dual)	
Victim assistants (governmental, includes victim-witness specialists/coordinators)	
Volunteers	
Other (specify): <input type="text"/>	
<b>TOTAL</b>	<b>0</b>





### 13. Training content areas

(Indicate all topics covered in training events provided with your STOP Program funds during the current reporting period. Check all that apply.)

#### Sexual assault, domestic violence/dating violence, and stalking

- ☐ Advocate response
- ☐ Child witnesses
- ☐ Confidentiality
- ☐ Dating violence overview, dynamics, and services
- ☐ Domestic violence overview, dynamics, and services
- ☐ Mandatory reporting requirements
- ☐ Response to victims/survivors who have been trafficked
- ☐ Response to victims/survivors who are incarcerated
- ☐ Safety planning for victims/survivors
- ☐ Sexual assault overview, dynamics and, services
- ☐ Stalking overview, dynamics and, services
- ☐ Supervised visitation and exchange
- ☐ Other (specify):

#### Justice system

- ☐ Civil court procedures
- ☐ Criminal court procedures
- ☐ Domestic violence statutes/codes
- ☐ Firearms and domestic violence
- ☐ Identification and arrest of predominant aggressor
- ☐ Immigration
- ☐ Judicial response
- ☐ Law enforcement response
- ☐ Pro-arrest policies
- ☐ Probation response
- ☐ Prosecution response
- ☐ Protection orders (including full faith and credit)
- ☐ Sexual assault statutes/codes
- ☐ Sexual assault forensic examination
- ☐ Stalking statutes/codes
- ☐ Tribal Jurisdiction and Public Law 280
- ☐ Other (specify):

#### Underserved populations

Issues specific to victims/survivors who:

- ☐ are American Indian or Alaska Native
- ☐ are Asian
- ☐ are black or African American
- ☐ are elderly
- ☐ are Hispanic or Latino
- ☐ are homeless or living in poverty
- ☐ are immigrants, refugees, or asylum seekers
- ☐ are lesbian, gay, bisexual, transgender, or intersex
- ☐ are Native Hawaiian or other Pacific Islander
- ☐ have disabilities
- ☐ have limited English proficiency
- ☐ have mental health issues
- ☐ have substance abuse issues
- ☐ live in rural areas
- ☐ Other (specify):

#### Community response

- ☐ Community response to sexual assault
- ☐ Coordinated community response
- ☐ Response teams (DART, DVRT, SART)
- ☐ Technology
- ☐ Other (specify):





**14. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of training activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about your training activities beyond what you have provided in the data above. Examples might include a reduction in dual arrest rates following training provided on identifying the predominant aggressor, or improved system response to victims/survivors with disabilities following a multidisciplinary training provided to advocates, law enforcement, and prosecution agencies on issues specific to victims/survivors with disabilities.) (Maximum 2000 characters)*



SECTION  
**C2**

## Coordinated Community Response

All subgrantees must complete this subsection.

### 15. Coordinated community response (CCR) activities during the current reporting period

(Check the appropriate boxes to indicate the agencies or organizations that you provided victim/survivor referrals to, received victim/survivor referrals from, engaged in consultation with, provided technical assistance to, and/or attended meetings with, during the current reporting period, according to the usual frequency of the interactions. If the interactions were not part of a regular schedule, you will need to estimate the frequency with which these interactions occurred during the current reporting period. Do not report "task force" in the "Other" category. If STOP Program-funded staff participated in a task force or work group, indicate that under "Meetings" by checking the frequency of the meetings and the types of organizations participating.)

Agency/organization	Victim/survivor referrals, consultations, technical assistance			Meetings		
	Daily	Weekly	Monthly	Weekly	Monthly	Quarterly
Advocacy organization (NAACP, AARP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Batterer intervention program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corrections (probation, parole, and correctional facility staff)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic violence organization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Educational institutions/organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Faith-based organization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Governmental agency (SSA, TANF)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health/mental health organization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Law enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal organization (legal services, bar association, law school)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecutor's office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex offender management/sex offender treatment provider	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual assault organization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social service organization (non-governmental)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tribal government/Tribal government agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**16. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of CCR activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about your CCR activities beyond what you have provided in the data above. Examples might include an improved judicial response to victims/survivors requesting protection orders, following meetings of a regional task force that included victim advocates, legal services attorneys, and judges; or improved information to victims/survivors regarding resources and greater coordination between the prosecutor's office and the local victim services agency as a result of meetings between the governmental and non-governmental advocates.) (Maximum 2000 characters)*



SECTION  
**C3**

## Policies

### Were your STOP Program funds used to develop, substantially revise, or implement policies or protocols during the current reporting period?

Check yes if STOP Program-funded staff developed, substantially revised, or implemented policies or protocols, or if STOP Program funds were used to directly support the development, revision, or implementation of policies or protocols.

- ☐ Yes—answer questions 17-18  
☐ No—skip to C4

### 17. Types of protocols and/or policies developed, substantially revised, or implemented during the current reporting period

(Check all that apply.)

#### Victim services

- |   |  |
|---|--|
| <input type="checkbox"/> Appropriate response to underserved populations  | <input type="checkbox"/> Policies to protect victims/survivors from Internet disclosure of identifying information |
| <input type="checkbox"/> Appropriate response to victims/survivors with substance abuse issues and/or mental health diagnoses | <input type="checkbox"/> Pro-arrest/mandatory arrest   |
| <input type="checkbox"/> Appropriate response to victims/survivors who are elderly or have disabilities                       | <input type="checkbox"/> Procedures for anonymous, confidential, or Jane Doe reporting of sexual assault           |
| <input type="checkbox"/> Confidentiality  | <input type="checkbox"/> Protection order enforcement ( <i>including full faith and credit</i> )                   |
| <input type="checkbox"/> Mandatory training standards for staff and volunteers  | <input type="checkbox"/> Providing information to victims/survivors about victim services                          |
| <input type="checkbox"/> Procedures for anonymous, confidential, or Jane Doe reporting of sexual assault                      | <input type="checkbox"/> Sexual assault response and protocols   |
| <input type="checkbox"/> Staff, board, and/or volunteers represent the diversity of your service area                         | <input type="checkbox"/> Other (specify): <input type="text"/>   |
| <input type="checkbox"/> Victim/survivors informed about Crime Victims Compensation and Victim Impact Statements              |  |
| <input type="checkbox"/> Other (specify): <input type="text"/>  |  |

#### Law enforcement

- |   |   |
|---|---|
| <input type="checkbox"/> Appropriate response to underserved populations  | <input type="checkbox"/> Prosecution  |
| <input type="checkbox"/> Appropriate response to victims/survivors who are elderly or have disabilities   | <input type="checkbox"/> Appropriate response to underserved populations  |
| <input type="checkbox"/> Identifying primary aggressor/discouraging dual arrest   | <input type="checkbox"/> Appropriate response to victims/survivors who are elderly or have disabilities   |
| <input type="checkbox"/> Immediate access to protection order information   | <input type="checkbox"/> Mandatory training on sexual assault, domestic violence, dating violence, and/or stalking  |
| <input type="checkbox"/> Mandatory training on sexual assault, domestic violence, dating violence, and/or stalking  | <input type="checkbox"/> No charge to victim/survivors for any costs related to the prosecution of sexual assault, domestic violence/dating violence, and/or stalking |
| <input type="checkbox"/> No charge to victims/survivors for service of protection orders, warrants, or subpoenas  | <input type="checkbox"/> No victims/survivors polygraphed   |
| <input type="checkbox"/> No charge to sexual assault victims/survivors for any costs associated with forensic exam  | <input type="checkbox"/> Policies to protect victims/survivors from Internet disclosure of identifying information  |
| <input type="checkbox"/> No charge to victims/survivors for any costs related to the investigation of sexual assault, domestic violence/dating violence, and/or stalking offenses | <input type="checkbox"/> Protection order enforcement ( <i>including full faith and credit</i> )  |
| <input type="checkbox"/> No victims/survivors polygraphed   | <input type="checkbox"/> Sexual assault response and protocols  |
|   | <input type="checkbox"/> Vertical prosecution   |
|   | <input type="checkbox"/> Victim-witness notification  |
|   | <input type="checkbox"/> Other (specify): <input type="text"/>  |



### Courts

- ☐ Accelerated trial schedules
- ☐ Appropriate response to underserved populations
- ☐ Appropriate response to victims/survivors who are elderly or have disabilities
- ☐ Dedicated domestic violence docket
- ☐ Full faith and credit for protection orders
- ☐ Immediate access to obtaining protection orders
- ☐ Judicial monitoring of sexual assault, domestic violence/dating violence, and/or stalking offenders
- ☐ Mandatory training on sexual assault, domestic violence, dating violence, and/or stalking
- ☐ No charge to victims/survivors for any costs related to prosecution of a sexual assault, domestic violence/dating violence, and/or stalking offense or to obtaining a protection order
- ☐ Policies to protect victims/survivors from Internet disclosure of identifying information
- ☐ Policy against mutual restraining orders
- ☐ Procedures for courtroom security
- ☐ Standard protection order form
- ☐ Other (specify):

### Health care

- ☐ Advocate response to emergency room
- ☐ Appropriate response for underserved populations
- ☐ Appropriate response to victims/survivors to avoid or eliminate re-traumatization
- ☐ Appropriate response to victims/survivors who are elderly or have disabilities
- ☐ Forensic exams not billed to victims/survivors
- ☐ Mandatory training on sexual assault, domestic violence, dating violence, and/or stalking
- ☐ Routine screening and referrals for sexual assault, domestic violence, dating violence, and/or stalking
- ☐ Other (specify):

### Probation and parole

- ☐ Appropriate response for cases involving underserved populations
- ☐ Appropriate response for cases involving victims/survivors who are elderly or have disabilities
- ☐ Mandatory training on sexual assault, domestic violence, dating violence, and/or stalking
- ☐ Strategies to assist and protect victims/survivors during probation and parole
- ☐ Victim/survivor inclusion in offender supervision planning process/sex offender management
- ☐ Victim/survivor notification
- ☐ Other (specify):





**18. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of policies you have developed or implemented that were funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about your activities related to the developing, revising, and implementing of policies beyond what you have provided in the data above. An example might include a significant increase in victim/survivor contact with, and input to the specialized probation officer/unit following the implementation of a policy on victim/survivor involvement.) (Maximum 2000 characters)*



SECTION  
**C4**

## Products

**Were your STOP Program funds used to develop, substantially revise, and/or distribute products during the current reporting period?**

Check yes if STOP Program-funded staff developed, revised, and/or distributed products or if STOP Program funds directly supported the development, revision, or distribution of products.

- ☐ Yes—answer question 19  
☐ No—skip to C5

**19. Use of STOP Program funds for product development, substantial revision, and/or distribution**

(Report the number of products developed, substantially revised, and/or distributed with STOP Program funds during the current reporting period. Report the number of new products developed or substantially revised during the current reporting period; the title/topic and intended audience for each product developed, revised, and/or distributed; and the number of products used or distributed. If a product was created in or translated into a language other than English, including Braille, indicate the language. Report on products that were newly developed during the current reporting period whether or not they were used or distributed, and on products that were previously developed or revised that were used or distributed during the current reporting period. Do not report the number of products printed or copied; only report the number developed or revised—in most cases that number will be one for each product described—and/or the number used or distributed. See separate instructions for examples of how to report under “developed or revised” and “used or distributed.”)

Products	Number developed or revised	Title/topic	Intended audience	Number used or distributed	Other languages
Brochures					
Manuals					
Training curricula					
Training materials					
Other (specify): <div></div>					



SECTION  
**C5**

## Data Collection and Communication Systems

### Were your STOP Program funds used to develop, install, or expand data collection and/or communication systems during the current reporting period?

Check yes if STOP Program funds or STOP Program-funded staff were used to develop, install, or expand data collection and/or communication systems.

- ☐ Yes—answer questions 20-21  
☐ No—skip to C6

#### 20. Use of STOP Program funds for data collection and/or communication systems

(Check all that apply.)

- ☐ Develop new data collection/communication systems  
☐ Install data collection/communication systems  
☐ Expand existing data collection/communication systems  
☐ Link existing data collection/communication systems  
☐ Share information with other community partners  
☐ Manage data collection and communication  
☐ Purchase computers and other equipment

#### 21. Purpose of data collection and/or communication systems

(Indicate all types of information identified or tracked with this technology by checking all that apply.)

- ☐ Arrests/charges  
☐ Bail/bond orders  
☐ Case management  
☐ Compliance with court-ordered sanctions  
☐ Convictions  
☐ Court docket management  
☐ Evaluation/outcome measures  
☐ Incident reports  
☐ Probation conditions/violations  
☐ Prosecutions  
☐ Protection orders  
☐ Recidivism  
☐ Sentencing  
☐ Stalking and harassment orders  
☐ Victim notification  
☐ Victim service availability  
☐ Violations of protection orders  
☐ Warrants  
☐ Other (specify):





## Specialized Units

**Were your STOP Program funds used for specialized units in the criminal justice system during the current reporting period?**

Check yes if any STOP Program-funded staff were part of a specialized unit in any of the categories listed below or if STOP Program funds were used to directly support a specialized unit. (A *specialized unit* is a centralized or coordinated group unit, or dedicated staff of law enforcement officers, prosecutors, probation officers, judge, or other court personnel responsible for handling sexual assault, domestic violence/dating violence, and/or stalking cases. A specialized unit may consist of one person, even if that person is partially funded by your STOP Program subgrant.)

- ☐ Yes—answer questions 22-23  
☐ No—skip to C7

### 22. Use of STOP Program funds for specialized units (Check all that apply for the current reporting period.)

	Law enforcement	Prosecution	Court	Probation or parole
Develop a new unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support, expand, or coordinate an existing unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Train a specialized unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 23. Victimization addressed by STOP Program-funded specialized units (Check all victimizations addressed by your specialized unit during the current reporting period.)

	Law enforcement	Prosecution	Court	Probation or parole
Sexual assault	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic violence/dating violence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stalking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



SECTION  
**C7**

## System Improvement

### Were your STOP Program funds used for system improvement during the current reporting period?

Check yes if any STOP Program-funded staff engaged in system improvement activities or if STOP Program funds directly supported system improvements (e.g., interpreters, safety audits, security).

☐ Yes—answer question 24

☐ No—skip to section D

### 24. Use of STOP Program funds for system improvement (Check all that apply for the current reporting period.)

	Victim services	Law enforcement	Prosecution	Court	Probation or parole
Evaluation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interpreters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Language lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meetings between tribal and non-tribal entities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Safety audits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Security personnel or equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Translation of forms and documents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



SECTION **D**

## VICTIM SERVICES

### Were your STOP Program funds used to provide victim services?

Check yes if STOP Program-funded staff provided victim services or if STOP Program funds were used to support victim services during the current reporting period. Report all victims/survivors served, and victim services provided with STOP Program funds, whether by a victim services agency or victim services within law enforcement, prosecution, or the court system in this section. Report criminal justice activities, such as 911 calls, cases investigated, and cases prosecuted, in section E only.

- ☐ Yes—answer questions 25-32  
☐ No—skip to section E

### 25. Number of primary victims/survivors served, partially served, and victims/survivors seeking services who were not served

Please do not answer this question without referring to the separate instructions for further explanation and examples of how to distinguish among these categories. (Report the following, to the best of your ability, as an unduplicated count for each category during the current reporting period. This means that each victim/survivor who was seeking or who received services during the current reporting period should be counted only once in that reporting period. For purposes of this question, victims/survivors are those against whom the sexual assault, domestic violence, dating violence, and/or stalking was directed. If the victim/survivor experienced more than one victimization, that person should be counted only once under the primary victimization. Do not report secondary victims here.)

Primary victims/survivors	Sexual assault	Domestic violence/dating violence	Stalking	TOTAL
<b>A. Served:</b> Victims/survivors who received the service(s) they requested, if those services were funded by your STOP Program subgrant				0
<b>B. Partially served:</b> Victims/survivors who received some service(s), but not all of the services they requested, if those services were funded by your STOP Program subgrant				0
<b>TOTAL SERVED and PARTIALLY SERVED (25A + 25B)</b>	0	0	0	0
<b>C. Victims/survivors seeking services who were not served:</b> Victims/survivors who sought services and did not receive the service(s) they were seeking, if those services were funded by your STOP Program subgrant				0

### 26. Number of secondary victims served

Please do not answer this question without referring to the separate instructions for further explanation and for examples of how and when to report secondary victims. (Report the following, to the best of your ability, as an unduplicated count for each category during the current reporting period. This means that each secondary victim who received services during the current reporting period should be counted only once and in only one of the listed categories, which should correspond to the category of victimization of the primary victim/survivor. For purposes of this question, secondary victims are those who are indirectly affected by the domestic violence/dating violence, sexual assault, and/or stalking—i.e., children, siblings, spouses or intimate partners, grandparents, other affected relatives, friends, neighbors, etc.)

Secondary victims	Sexual assault	Domestic violence/dating violence	Stalking	TOTAL
Secondary victims who received service(s) funded by your STOP Program subgrant				0





**27. Reasons that primary victims/survivors seeking services were not served or were partially served**  
(Check all that apply.)

Reasons not served or partially served	
<input type="checkbox"/>	Conflict of interest
<input type="checkbox"/>	Did not meet statutory requirements
<input type="checkbox"/>	Hours of operation
<input type="checkbox"/>	Insufficient/lack of culturally appropriate services
<input type="checkbox"/>	Insufficient/lack of language capacity ( <i>including sign language</i> )
<input type="checkbox"/>	Insufficient/lack of services for people with disabilities
<input type="checkbox"/>	Lack of child care
<input type="checkbox"/>	Program reached capacity
<input type="checkbox"/>	Program rules not acceptable to victim/survivor
<input type="checkbox"/>	Program unable to provide service due to limited resources/priority-setting
<input type="checkbox"/>	Services inappropriate or inadequate for victims/survivors with mental health issues
<input type="checkbox"/>	Services inappropriate or inadequate for victims/survivors with substance abuse issues
<input type="checkbox"/>	Services not appropriate for victim/survivor
<input type="checkbox"/>	Services not available for victims/survivors accompanied by male adolescents
<input type="checkbox"/>	Transportation
<input type="checkbox"/>	Other (specify): <input type="text"/>



## 28. Demographics of primary victims/survivors served or partially served

(Based on the primary victims/survivors reported in 25A and 25B, report the total numbers for all that apply. Because victims/survivors may identify in more than one category of race/ethnicity, the total for "Race/ethnicity" may exceed the total number of victims/survivors reported in 25A and 25B. However, the total number of victims/survivors reported under "Race/ethnicity" should not be less than the total number of victims/survivors reported in 25A and 25B. The total number of victims/survivors reported under "Gender" and the total number reported under "Age" should equal the total number of victims/survivors reported in 25A and 25B. Those victims/survivors for whom gender, age, and/or race/ethnicity are not known should be reported in the "Unknown" category. Do not report demographics for secondary victims.)

Race/ethnicity (Victims/survivors should not be counted more than once in either the category "American Indian and Alaska Native" or in the category "Native Hawaiian and other Pacific Islander")	Number of victims/survivors
American Indian and Alaska Native	
Asian	
Black or African American	
Hispanic or Latino	
Native Hawaiian and other Pacific Islander	
White	
Unknown	
<b>TOTAL RACE/ETHNICITY</b> (should not be less than the sum of 25A and 25B, 0)	0

Gender	Number of victims/survivors
Female	
Male	
Unknown	
<b>TOTAL GENDER</b> (should equal to the sum of 25A and 25B, 0)	0

Age	Number of victims/survivors
0-12	
13-17	
18-24	
25-59	
60+	
Unknown	
<b>TOTAL AGE</b> (should equal to the sum of 25A and 25B, 0)	0

Other demographics	Number of victims/survivors
People with disabilities	
People with limited English proficiency	
People who are immigrants/refugees/asylum seekers	
People who live in rural areas	



## 29. Victims/survivors' relationships to offender by victimization

(For those primary victims/survivors reported as served and partially served in 25A and 25B, report the victim/survivor's relationship to the offender by type of victimization. If a victim/survivor experienced more than one type of victimization and/or was victimized by more than one perpetrator, count the victim/survivor in all categories that apply.)

The total number of relationships in the sexual assault column must be at least 0 ;  
the total number in the domestic violence/dating violence column must be at least 0 ;  
and the total number in the stalking column must be at least 0 ;

Do not report relationships to offender for secondary victims.)

Victim/survivor's relationship to offender	Number of victim/survivor relationships by victimization		
	Sexual assault	Domestic violence/dating violence	Stalking
Current or former spouse or intimate partner			
Other family or household member			
Dating relationship			
Acquaintance (neighbor, employee, co-worker, student, schoolmate, etc.)			
Stranger			
Relationship unknown			
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 30A. Victim services

(Report the number of primary victims/survivors from 25A and 25B who received STOP Program-funded services. Count each victim/survivor only once for each type of service that victim received during the current reporting period; do not report the number of times that service was provided to the victim. The total for each type of service should not be higher than the total of 25A and 25B, 0. Shelter services should be reported in Question 30B. Do not report secondary victims receiving services in this question.)

Type of service	Number of victims/survivors served
Civil legal advocacy/court accompaniment (Assisting a victim/survivor with civil legal issues, including preparing paperwork for a protection order and accompanying victim/survivor to a protection order hearing, administrative hearing, or other civil court proceeding. Does not include advocacy by attorneys and/or paralegals.)	
Civil legal assistance (Civil legal services provided by an attorney and/or a paralegal.)	
Counseling services/support group (Individual or group counseling or support provided by a volunteer, peer, or professional)	
Criminal justice advocacy/court accompaniment (Assisting a victim/survivor with criminal legal issues including notifying the victim/survivor of case status, hearing dates, plea agreements, and sentencing terms; preparing paperwork such as victim impact statements; accompanying a victim/survivor to a criminal court proceeding or law enforcement interview; and all other advocacy within the criminal justice system.)	
Crisis intervention (Crisis intervention is a process by which a person identifies, assesses, and intervenes with an individual in crisis so as to restore balance and reduce the effects of the crisis in her/his life. In this category, report crisis intervention that occurs in person and/or over the telephone.)	
Forensic exam (Exam conducted by a sexual assault nurse examiner or by a sexual assault forensic examiner)	
Hospital/clinic/other medical response (Accompanying a victim survivor to or meeting a victim/survivor at a hospital, clinic, or medical office)	
Language services (Interpretation, translation)	
Transportation	
Victim/survivor advocacy (Actions designed to assist the victim/survivor in obtaining support, resources, or services, including employment, housing, shelter services, health care, victim's compensation, etc.)	
Other (specify):	



### 30B. Shelter services

(Report the number of victims/survivors and accompanying family members who received emergency shelter and/or transitional housing provided with STOP Program funds during the current reporting period. This should be an unduplicated count for both victims/survivors and for family members. This means that each victim/survivor and each family member who received shelter services during the current reporting period should be counted only once. Report the total number of bed nights provided in emergency shelter and/or transitional housing to victims/survivors and family members. The number of bed nights is computed by multiplying the number of victims and family members by the number of nights they stayed in the shelter. The number of bed nights will typically be significantly higher than the number of victims and family members. For example, one victim and her three children all stayed in the shelter for 10 nights. The number of bed nights would be 4 x 10, or 40.)

Shelter service	Number of victims/survivors	Number of family members	Number of bed nights
Emergency shelter	<input type="text"/>	<input type="text"/>	<input type="text"/>
Transitional housing	<input type="text"/>	<input type="text"/>	<input type="text"/>

### 30C. Hotline calls

(Report the number of hotline calls received from primary victims, and the total number of hotline calls received, on phone lines paid for with STOP Program funds or answered by STOP Program-funded staff, during the current reporting period. Primary victims whose calls are reported here should not be reported as victims served in question 25 unless they also received at least one of the services listed in question 30A Victim Services or question 30B Shelter Services. Victims/survivors who receive services such as crisis intervention or victim advocacy over the telephone, in addition to basic hotline information and/or referrals, should also be reported in question 30A. Hotline calls that include victim advocacy or crisis intervention services are those that require more time than the average call and involve a more intensive focus on the immediate needs and situation of the victim. For examples of when to report only the hotline call and when to report both the hotline call and a service or services in question 30A, see separate instructions.)

	Number of calls from victims/survivors	Total number of calls
Hotline calls (Crisis or information and referral calls received by an agency's hotline or office telephone)	<input type="text"/>	<input type="text"/>

### 30D. Victim-witness notification/outreach to victims/survivors

(Report the number of unsolicited letters, phone calls, or visits to victims/survivors of specific incidents of sexual assault, domestic violence, dating violence, and stalking identified in police reports or court documents, informing them of services and/or providing information about the criminal justice system. Victims/survivors who are the recipients of these notification/outreach activities should not be reported as victims/survivors served in question 25 unless they also received at least one of the services reported in question 30A Victim Services or question 30B Shelter Services. Victims/survivors who receive services such as criminal justice advocacy over the telephone should be reported in question 30A.)

	Number of notification/outreach activities to victims/survivors
Victim-witness notification/outreach to victims/survivors (unsolicited letters, phone calls, or visits)	<input type="text"/>



### 31. Protection orders

*(Report the total number of temporary and/or final protection orders requested and granted for which STOP Program-funded victim services staff provided assistance to victims/survivors during the current reporting period. These orders may also be referred to as protection from abuse, protection from harassment or anti-harassment orders, restraining orders , or no-contact or stay-away orders.)*

Sexual assault protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Domestic violence/dating violence protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Stalking protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>





**32. (Optional) Additional information**

(Use the space below to discuss the effectiveness of victim services funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about your victim services activities beyond what you have provided in the data above. An example might include that your agency, as a result of STOP Program-funding, was able to provide medical accompaniment to an increased percentage of sexual assault survivors. This resulted in a higher percentage of victims/survivors seeking additional support services.) *(Maximum 2000 characters)*



SECTION  
**E1**

## CRIMINAL JUSTICE SYSTEM

### Law Enforcement

#### Were your STOP Program funds used for law enforcement activities during the current reporting period?

Check yes if your STOP Program subgrant funded law enforcement activities. If STOP funds supported only a victim-witness assistant or victim advocate located in a law enforcement agency, then only Section D Victim Services should be completed.

- ☐ Yes—answer questions 33-36. Provide information only for STOP Program-funded law enforcement activities engaged in during the current reporting period.
- ☐ No—skip to E2.

#### 33. Activities

(Report the number of STOP Program-funded activities related to sexual assault, domestic violence/dating violence, and/or stalking cases/incidents for the current reporting period. If an activity relates to a case/incident involving more than one type of crime, the activity should be counted only once under the primary victimization.)

Activity	Sexual assault	Domestic violence/ dating violence	Stalking
Calls for assistance (All 911 and other calls made to law enforcement)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Incident reports (All responses to an incident as reported on an incident report)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Cases/incidents investigated (All cases in which evidence was collected/witnesses interviewed relating to an incident)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Forensic medical evidence (All cases in which rape kits were processed)	<input type="text"/>		
Arrests (All arrests made by law enforcement, except dual arrests)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dual arrests (Responses by law enforcement in which the two parties involved in the incident are arrested)		<input type="text"/>	
Protection/ex parte/temporary restraining orders served (All instances in which these types of orders were served on offenders)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Arrests for violation of bail bond (All instances in which arrests were made of offenders who violated conditions set out in their bail bonds)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Enforcement of warrants (All instances in which warrants relating to these incidents were enforced)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Arrests for violation of protection order	<input type="text"/>	<input type="text"/>	<input type="text"/>
Protection orders issued (All orders directly issued by law enforcement in jurisdictions where law enforcement officers are so authorized)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Referrals of cases to prosecutor	<input type="text"/>	<input type="text"/>	<input type="text"/>
Referrals of federal firearms charges to federal prosecutor	<input type="text"/>	<input type="text"/>	<input type="text"/>



### 34. Victim/survivor referrals to victim services

(Report the total number of victim/survivor referrals to victim services during the current reporting period. "Governmental" refers to victim services provided by victim assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation that are targeted to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking. "Non-governmental" refers to services provided by non-profit community-based agencies to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)

	Governmental victim services	Non-governmental victim services
Number of victim/survivor referrals		

### 35. Protection orders

(Report the total number of temporary and/or final protection orders requested and granted for which STOP Program-funded law enforcement staff provided assistance to victims/survivors during the current reporting period. These orders may also be referred to as restraining orders, anti-harassment orders, or no-contact or stay-away orders.)

Sexual assault protection orders	Temporary orders	Final orders
Number requested		
Number granted		

Domestic violence/dating violence protection orders	Temporary orders	Final orders
Number requested		
Number granted		

Stalking protection orders	Temporary orders	Final orders
Number requested		
Number granted		





**36. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of law enforcement activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about these activities beyond what you have provided in the data above. An example might include an increase in the number of cases accepted for prosecution as the result of a STOP Program-funded specialized investigator focused on domestic violence/dating violence, sexual assault, and stalking.) (Maximum 2000 characters)*



SECTION **E2**

## Prosecution

### Were your STOP Program funds used for prosecution during the current reporting period?

Check yes if your STOP Program subgrant funded prosecution activities. If STOP Program funds supported only a victim assistant/victim-witness specialist or victim advocate located in a prosecution office, then only section D Victim Services should be completed.

- ☐ Yes—answer questions 37-43. Provide the information only for STOP Program-funded prosecution activities engaged in during the current reporting period.
- ☐ No—skip to E3.

### 37A. Number of cases received, accepted for prosecution, declined, or transferred

(Report the number of domestic violence/dating violence, sexual assault, or stalking-related case referrals received during the current reporting period—including cases already charged before reaching the prosecutor's office. Of those cases referred, report the number that were accepted and the number that were declined for prosecution during the current reporting period. A case should be characterized by the most serious offense and may include numerous charges or counts. In most instances, a case will refer to one victim, one offender, and one incident. It is strongly suggested that you refer to the separate instructions for examples of how to count and characterize cases.)

Misdemeanor and felony domestic violence cases may include any assaults, battery, vandalism, or other offenses that occurred in a domestic violence incident. Your state law does not have to name an offense "domestic violence" for a case addressing that offense to be counted here. Similarly, cases addressing sexual assault and stalking offenses should be counted, even if your state law uses other names for these types of offenses, such as "sexual battery" or "harassment."

Received/accepted/declined/transferred	Domestic violence/ dating violence	Sexual assault	Stalking
a. Number of case referrals received	<input type="text"/>	<input type="text"/>	<input type="text"/>
b. Number of cases accepted for prosecution	<input type="text"/>	<input type="text"/>	<input type="text"/>
c. Number of cases declined	<input type="text"/>	<input type="text"/>	<input type="text"/>
d. Transferred to higher or lower court that is outside grant-funded jurisdiction	<input type="text"/>	<input type="text"/>	<input type="text"/>

### 37B. Reasons for declining cases

(Of those cases reported in line c of question 37A as declined, report only the primary reason for the decision to decline prosecution. Please see separate instructions for further explanation of the reasons and for examples of how to apply them.)

Reason for declining	Domestic violence/ dating violence	Sexual assault	Stalking
Insufficient evidence (returned for further investigation)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Insufficient evidence/victim unavailable (no further action requested)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Request of victim/victim safety	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other (specify): <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



**38. Disposition of cases**

(Report the dispositions of all cases resolved during the current reporting period.)

Type of case	Number dismissed	Number of deferred adjudications	Number convicted						Number acquitted
			Plead as charged	Plead to lesser charge in the same category	Plead to lesser charge in lower category	Guilty as charged	Guilty of lesser charge in the same category	Guilty of lesser charge in lower category	
Domestic violence/dating violence ordinance									
Misdemeanor domestic violence/dating violence									
Felony domestic violence/dating violence									
Domestic violence/dating violence homicide									
Misdemeanor sexual assault									
Felony sexual assault									
Sexual assault homicide									
Stalking ordinance									
Misdemeanor stalking									
Felony stalking									
Stalking homicide									
Violation of bail									
Violation of probation or parole									
Violation of protection order									
Violation of other court order									
Other (specify): <div></div>									





**39. (Optional) Other issues present in cases that reached disposition**

*(If possible, use the space below to discuss the extent to which cases that were characterized as domestic violence, dating violence, sexual assault, and/or stalking also included additional charges or elements of domestic violence, dating violence, sexual assault, and/or stalking. For example, cases reported above as domestic violence felony cases may also have included counts of misdemeanor sexual assault, and cases reported as felony sexual assaults may also have included stalking charges. The purpose of this question is to gather information on how often multiple crimes were present in the cases reported. If detailed information is not available, feel free to provide estimates based on your experience.) (Maximum 2000 characters)*



#### 40. Tribal subgrantees

(Report the total number of sexual assault, domestic violence, dating violence, and stalking cases referred for state or federal prosecution during the current reporting period.)

	Number
Cases referred to federal entity for prosecution	<input type="text"/>
Cases referred to state entity for prosecution	<input type="text"/>
<b>TOTAL</b>	<input type="text" value="0"/>

#### 41. Victim/survivor referrals to victim services

(Report the total number victim/survivor referrals referred to victim services during the current reporting period. "Governmental" refers to victim services provided by victim assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation that are targeted to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking. "Non-governmental" refers to services provided by non-profit community-based agencies to victim/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)

	Governmental victim services	Non-governmental victim services
Number of victim/survivor referrals	<input type="text"/>	<input type="text"/>

#### 42. Protection orders

(Report the total number of temporary and/or final protection orders STOP Program-funded prosecutors requested and the number granted during the current reporting period. These orders may also be referred to as protection from abuse or protection from harassment orders, restraining orders, or no-contact or stay-away orders.)

Sexual assault protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Domestic violence/dating violence protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

Stalking protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>





#### **43. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of prosecution activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about those activities beyond what you have provided in the data above. An example might include expedited prosecution of felony domestic violence and sexual assault cases as a result of funding a specialized prosecutor to handle those cases.)  
(Maximum 2000 characters)*



SECTION  
**E3**

## Courts

### Were your STOP Program funds used for courts during the current reporting period?

Check yes if your STOP Program subgrant funded court activities. If STOP funds supported only a victim advocate located in a court, then only section D Victim Services should be completed.

- ☐ Yes—answer questions 44-51. Provide the information only for STOP Program-funded court activities engaged in during the current reporting period.
- ☐ No—skip to E4.

#### 44. Number of criminal cases

(Report the total number of new sexual assault, domestic violence, dating violence, and/or stalking-related cases filed during the current reporting period.)

Misdemeanor and felony domestic violence cases include any assaults, battery, vandalism, or other offenses that occurred in a domestic violence incident. Your state law or tribal code does not have to name the offense “domestic violence” for it to be counted here. Similarly, sexual assault and stalking cases should be counted under the appropriate sexual assault or stalking offense listed below (e.g., felony sexual assault), even if your state law uses another name for these types of offenses, such as “sexual battery” or “harassment.”

Type of case	New cases filed during the current reporting period
Misdemeanor sexual assault	<input type="text"/>
Felony sexual assault	<input type="text"/>
Homicide related to sexual assault, domestic violence/ dating violence, or stalking	<input type="text"/>
Domestic violence/dating violence ordinance	<input type="text"/>
Misdemeanor domestic violence/dating violence	<input type="text"/>
Felony domestic violence/dating violence	<input type="text"/>
Stalking ordinance	<input type="text"/>
Misdemeanor stalking	<input type="text"/>
Felony stalking	<input type="text"/>
Violation of protection order	<input type="text"/>
Violation of bail	<input type="text"/>
Violation of probation/parole	<input type="text"/>
Violation of other court order	<input type="text"/>
<b>TOTAL</b>	<input type="text" value="0"/>



#### 45. Disposition of criminal cases

(Report the disposition of any sexual assault, domestic violence/dating violence, or stalking cases resolved during the current reporting period.)

Type of case	Number dismissed	Number of deferred adjudications	Number convicted	Number acquitted
Misdemeanor sexual assault				
Felony sexual assault				
Homicide related to sexual assault, domestic violence/dating violence, or stalking				
Domestic violence/dating violence ordinance				
Misdemeanor domestic violence/dating violence				
Felony domestic violence/dating violence				
Stalking ordinance				
Misdemeanor stalking				
Felony stalking				
Violation of protection order				
Violation of bail				
Violation of probation/parole				
Violation of other court order				
<b>TOTAL</b>	0	0	0	0

#### 46. Judicial monitoring

(Report the number of sexual assault, domestic violence, dating violence, and/or stalking offenders whose cases were reviewed by the court for compliance with conditions of probation or other court-ordered conditions, or for violations of those conditions, during the current reporting period. Also report the total number of individual review hearings conducted. The number of review hearings is the number of individual hearings held for each offender, even when that offender is reviewed during the same monitoring sessions as other offenders. For example, if 10 offenders were reviewed at the same three sessions during the reporting period, the number of offenders reviewed would be 10 and the number of review hearings conducted would be 10 multiplied by 3, or 30.)

	Number of offenders reviewed	Number of individual review hearings conducted
<b>TOTAL</b>		

#### 47. Disposition of violations

(Report the number of sexual assault, domestic violence, dating violence, and/or stalking cases in which there were dispositions of violations during the current reporting period. The violation does not have to have occurred during this reporting period, only the disposition. A case may be counted more than once if there were multiple violations.)

Violation	No action taken	Verbal/written warning	Fine	Conditions added	Partial revocation of probation	Probation revoked/incarcerated
Protection order						
New criminal behavior						
Failure to attend batterer intervention program (BIP)						
Failure to attend mandated-offender treatment (does not include BIP)						
Other conditions of probation or parole						
<b>TOTAL</b>	0	0	0	0	0	0



#### 48. Victims/survivor referrals to victim services

(Report the total number victim/survivor referrals to victim services during the current reporting period. "Governmental" refers to victim services provided by victim-assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation that are targeted to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking. "Non-governmental" refers to services provided by non-profit community-based agencies to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)

	Governmental victim services	Non-governmental victim services
Number of victim/survivor referrals	<input type="text"/>	<input type="text"/>

#### 49. Civil protection orders

(Report the total number of temporary and/or final civil protection orders requested and granted by the court to victims/survivors of sexual assault, domestic violence/dating violence, and stalking during the current reporting period. These orders may be referred to as protection from abuse or protection from harassment or anti-harassment, or restraining orders. Include only civil orders.)

Sexual assault protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>
Domestic violence/dating violence protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>
Stalking protection orders	Temporary orders	Final orders
Number requested	<input type="text"/>	<input type="text"/>
Number granted	<input type="text"/>	<input type="text"/>

#### 50. Criminal protection orders

(Report the total number of criminal protection orders requested and the total number granted by the court to victims/survivors of sexual assault, domestic violence/dating violence, and stalking during the current reporting period. These orders may be referred to as no-contact or stay-away orders.)

	Requested	Granted
Number of protection orders	<input type="text"/>	<input type="text"/>



**51. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of court activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about those activities beyond what you have provided in the data above. An example might include an increased percentage of court-monitored offenders complying with mandated offender treatment and batterer intervention programs.)*  
(Maximum 2000 characters)



# SECTION E4

## Probation and Parole

### Were your STOP Program funds used for probation and parole during the current reporting period?

Check yes if your STOP Program subgrant funded probation and parole activities.

- ☐ Yes—answer questions 52-56. Provide the information only for STOP Program-funded probation and parole activities engaged in during the current reporting period.
- ☐ No—skip to E5.

### 52. Number of offenders

(Report the total number of continuing and new offenders charged with sexual assault, domestic violence, dating violence, and/or stalking. This is an unduplicated count. If you have not previously filed an annual report, include all pending offenders at the beginning of the current reporting period as "number of continuing offenders.")

	Number of continuing offenders	Number of new offenders	Number who completed probation	
			Without violations	With violations
Unduplicated count of domestic violence/dating violence offenders	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Unduplicated count of sexual assault offenders	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Unduplicated count of stalking offenders	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>TOTAL</b>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

### 53. Monitoring activities

(For new and continuing cases reported in question 52, report the number of the monitoring activities engaged in during the current reporting period. Report only those offenders who were monitored using the specific activity under "Number of offenders." Report the total number of contacts for all offenders for the specific activity under "Total contacts." For example, out of a total caseload of 150, a probation officer has face-to-face contact with 100 of those offenders during the reporting period. Multiplying those offenders by the number of face-to-face meetings the officer had with each offender, the total contacts amount to 900. The number of offenders reported as having face-to-face meetings would be 100, and the number of total face-to-face contacts would be 900.)

Activity	Number of offenders	Total contacts
Face-to-face meeting with offender	<input type="text"/>	<input type="text"/>
Telephone contact with offender	<input type="text"/>	<input type="text"/>
Unscheduled surveillance of offender	<input type="text"/>	<input type="text"/>

Activity	Number of victims/survivors	Total contacts
Outreach to victims/survivors	<input type="text"/>	<input type="text"/>



#### 54. Dispositions of violations

(Report the total number of sexual assault, domestic violence/dating violence, and/or stalking cases in which there were dispositions of violations during the current reporting period. The violation does not have to have occurred during this reporting period, only the disposition. A case may be counted more than once if there were multiple violations.)

Violation	No action taken	Verbal/written warning	Fine	Conditions added	Partial revocation of probation	Probation revoked/incarcerated
Protection order						
New criminal behavior						
Failure to attend batterer intervention program (BIP)						
Failure to attend mandated-offender treatment (does not include BIP)						
Other conditions of probation or parole						
<b>TOTAL</b>	0	0	0	0	0	0

#### 55. Victims/survivor referrals to victim services

(Report the total number victim/survivor referrals to victim services during the current reporting period. "Governmental" refers to victim services provided by victim-assistants or victim-witness specialists/coordinators employed by criminal justice agencies, such as law enforcement, prosecution, courts, or probation. "Non-governmental" refers to services provided by non-profit community-based agencies to victims/survivors of domestic violence, dating violence, sexual assault, and/or stalking.)

	Governmental victim services	Non-governmental victim services
Number of victim/survivor referrals		





**56. (Optional) Additional information**

*(Use the space below to discuss the effectiveness of probation activities funded or supported by your STOP Program subgrant and to provide any additional information you would like to share about those activities beyond what you have provided in the data above. An example might include a decrease in caseload and higher number of contacts with offenders as a result of funding a specialized domestic violence probation officer.)*  
(Maximum 2000 characters)



SECTION  
**E5**

## Batterer Intervention Program (BIP)

### Were your STOP Program funds used for BIP during the current reporting period?

Check yes if STOP Program-funded staff or STOP Program funds directly supported BIP activities.

- ☐ Yes—answer questions 57-59, providing information for grant-funded activities  
☐ No—skip to section F

### 57. Offenders in program

(Report the number of continuing and new offenders in your batterer intervention program during the current reporting period. If you have not previously filed an annual report, include all cases at the beginning of the current reporting period as "offenders continuing in BIP.")

	Number of offenders continuing in BIP from last reporting period	Number of offenders entering BIP during current reporting period
Offenders in program		

### 58. Outcomes

(Report the total number of domestic violence/dating violence offenders in your program who completed the program, who were terminated from the program, or who returned to the program after termination during the current reporting period.)

	Number of offenders
Completed program	
Terminated from program	
Returned to program after termination	
Other (specify):	

### 59. Length of BIP in weeks

(Report the number of weeks batterers are expected to remain in the program in order to complete it. If your BIP has more than one program length and/or curriculum, provide the length for each type of program.)

	A	B	C
Number of weeks			



SECTION

F

## NARRATIVE

**All subgrantees must answer questions 60 and 61.**

PLEASE LIMIT YOUR RESPONSES TO THE SPACE PROVIDED FOR EACH QUESTION.

- 60. What do you see as the most significant areas of remaining need, with regard to improving services to victims/survivors of sexual assault, domestic violence, dating violence, and stalking, increasing victim/survivor safety, and enhancing community response (including offender accountability for both batterers and sex offenders)?**

*(Consider geographic regions, underserved populations, service delivery systems, types of victimization, and challenges and barriers unique to your jurisdiction.)*

- 61. What has STOP Program funding allowed you to do that you could not do prior to receiving this funding?**

*(e.g., expand coordination and cross-referrals with victim/survivor services, or track data on arrests and prosecutions)*

**Questions 62 and 63 are optional.**

PLEASE LIMIT YOUR RESPONSES TO THE SPACE PROVIDED FOR EACH QUESTION.

- 62. Provide any additional information that you would like us to know about your STOP Program subgrant and/or the effectiveness of your grant.**

*(If you have any other data or information that you have not already reported in answer to previous questions that demonstrate the effectiveness of your STOP Program-funded program please provide it below. Refer to separate instructions for a fuller explanation and examples.)*

- 63. Provide any additional information that you would like us to know about the data submitted.**

*(If you have any information that could be helpful in understanding the data you have submitted in this report, please answer this question. For example, if you submitted two different progress reports for the same reporting period, you may explain how the data was apportioned to each report; or if your STOP Program funds supported staff—e.g., victim advocates, law enforcement officers, etc.—but did not report any corresponding victim services or law enforcement activities, you may explain why; or if you did not use STOP Program funds to support either staff or activities during the reporting period, please explain how program funds were used, if you have not already done so.)*

### Public Reporting Burden

**Paperwork Reduction Act Notice.** Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this form is 60 minutes per form. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office on Violence Against Women, U.S. Department of Justice, 800 K Street, NW, Washington, DC 20531.



What do you see as the most significant areas of remaining need, with regard to improving services to victims/survivors of sexual assault, domestic violence, dating violence, and stalking, increasing victim/survivor safety, and enhancing community response (including offender accountability for both batterers and sex offenders)?

**Question #60**



What do you see as the most significant areas of remaining need, with regard to improving services to victims/survivors of sexual assault, domestic violence, dating violence, and stalking, increasing victim/survivor safety, and enhancing community response (including offender accountability for both batterers and sex offenders)?

**Question #60 (cont.)**



What has STOP Program funding allowed you to do that you could not do prior to receiving this funding?

**Question #61**



What has STOP Program funding allowed you to do that you could not do prior to receiving this funding?

**Question #61 (cont.)**



Provide any additional information that you would like us to know about your STOP Program subgrant and/or the effectiveness of your grant.

**Question #62**



Provide any additional information that you would like us to know about your STOP Program subgrant and/or the effectiveness of your grant.

**Question #62 (cont.)**



Provide any additional information that you would like us to know about the data submitted.

**Question #63**



Provide any additional information that you would like us to know about the data submitted.  
**Question #63 (cont.)**



## **Appendix N**

### **Monitoring Forms**



# DIVISION OF JUSTICE AND COMMUNITY SERVICES

## STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM

### SUBGRANTEE ON-SITE MONITORING REPORT (State-wide Programs)

The Division of Justice and Community Services staff has completed an on-site visit to your grant program during the current project period to monitor the performance of grant-supported activities. The purpose of the site visit was:

1. Determine progress made toward achieving project objectives
2. Determine compliance with terms, conditions, and purpose of grant
3. Identify technical assistance needs; and
4. Provide guidance of future design or funding of similar projects\*

<b>SUBGRANTEE:</b>			
<b>GRANT CATEGORY:</b>	STOP VAWA		
<b>GRANT NUMBER:</b>			
<b>DATE OF REVIEW:</b>		<b>TIME:</b>	
<b>GRANT PERIOD:</b>			
<b>PREVIOUS REVIEW:</b>			
<b>CURRENT REVIEWER:</b>			

#### Description of Project:

--

#### Agency Staff Interviewed:

NAME	TITLE	PHONE	EMAIL



## Part 1: Status of Objectives Approved in Grant Application:

1.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

2.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

3.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

4.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			



5.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- Are the project objectives realistic and attainable, with consideration given to the available resources?
  - Have the project's proposed activities matched the services offered to date?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- How do the projects activities provide in-direct services to victims and does it use a Victim Centered Approach?  
**Describe:**
  - Has the grant period been extended? If yes, did the program revise and update their goals Objectives and timelines?
  - Is the program aware they are required to report duplicative funding if they have active awards of federal funds (in whole or in part) for one or more of the identical costs items for which funds are provided under this award?

## Part 2: Program Site

- Are the facilities appropriate for the services being offered, for staff?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- Are the facilities easily accessed by the disabled?  
**Describe:**
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- Does the program have access to materials or resources for the blind, deaf and speech impaired?  
**Describe:**
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |

## Part 3: Records

- Does the grant file include the following:



- ☐ Approved Grant Application and Contract
- ☐ Standard, Special, and Supplemental Conditions
- ☐ Project Budget Adjustments & Other Grant Adjustments
- ☐ Correspondence to DJCS and from DJCS
- ☐ Monthly Progress Reports, Board of Director and Advisory Board Meeting Minutes
- ☐ Request for reimbursements, Financial Project Reports, & Supporting Financial Documents

**If no, please explain:**

2. Is the sub-grantee in compliance with all the standard, special, and supplemental conditions attached to the grant award?

Yes	No	N/A

3. Did project implementation occur within 60 days of the designated start date?

Yes	No	N/A

4. Does the project director have a copy of the Administrative Manual?

- ☐ Current FY Administrative Manual CD
- ☐ Hard Copy of FY 2016 Administrative Manual

**If no, please explain:**

5. Does the project keep copies of grant files at a minimum for three years after the Federal Grant Period ends? Where are they kept?

6. Is the project being evaluated (including self-evaluations, training)?

Yes	No	N/A

- 6a. Does the evaluation ensure confidentiality? **(attach a blank copy of evaluation to report)**

Yes	No	N/A

- 6b. How have these funds improved the system's response to victims of domestic violence, sexual assault, stalking and dating violence?

7. Are required project reports submitted in a timely and satisfactory manner?

Yes	No	N/A

- 7a. Are monthly progress report forms submitted?

Yes	No	N/A



- 7b. Are copies of Board of Directors and/or Advisory Board Meeting Minutes submitted with reports?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
8. If the program has a database, is information aggregate information only and is it password protected and has back-up?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
10. Does the sub-grantee have a written confidentiality policy on file?  
**(Attach confidentiality policy to report)**
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- 10a. Does it comply with the requirements of VAWA 2005 and 2013?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
11. Is the Project using the most recent approved/required Monthly report forms for this grant?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
12. Does the Project have a DUNS Number?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
13. Is the Project Registered with the System for Award Management (SAM) and is up to date? (Attach Copy)  
**Expires:**
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
14. Does the program have copies of documents certifying their non-profit status on file? (Non-Profits Only):
- ☐ 501 (c )(3) IRS designation letter
  - ☐ Secretary of State Letter declaring non-profit status
  - ☐ Articles of Incorporation

If no, **please explain**



15. Are financial statements available online for public viewing? (Non-Profits Only):

- ☐ Filed IRS Form 990 or similar tax document (e.g., 990-EZ)  
☐ Other (**please Explain**):

16. Did the project receive funds for Sexual Assault Set Aside? Check all that apply:

- ☐ Victim Services  
☐ Law Enforcement  
☐ Prosecution

17. If yes, explain how these funds meaningfully address sexual violence. How the funds will be utilized to both provide quality and responsive services to victims of sexual assault; build the state's capacity to do so; and if they are working currently with West Virginia's Sexual Assault Coalition.

#### Part 4: Civil Rights/Equal Employment Opportunity Plans:

1. Is the sub-grantee required to have an EEOP Short Form As required by 28 C.F.R. § 42.301-.308 on file?

Yes	No	N/A

2. If yes, on what date did the sub-grantee prepare the EEOP?  
**Date/Comment:**

2b. Has the EEOP been submitted to proper authorities?

Yes	No	N/A

3. If not required to submit an EEOP Short Form has the Sub-grantee submitted a certification form to OCR Claiming a partial or complete exemption from the EEOP requirements?

Yes	No	N/A

3a. If yes, on what date did the sub-grantee submit and prepare the EEOP Certificate claiming exemption?

**Date/Comment:**

4. How does the sub-grantee notify program participants and beneficiaries that it doesn't discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services (e.g. posters, inclusion in brochures or program materials, etc.)?



5. How does the sub-grantee notify employees that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in employment practices (e.g. posters, dissemination of relevant orders, or policies, inclusion in recruitment materials, etc.)?

6. Does the sub-grantee have a written policy for notifying Clients or staff on how to file complaints alleging Discrimination by the sub-grantee with DJCS or the ORC?  
Describe:

6a. Are you aware the OCR issued an advisory document for sub-recipients on the proper use of arrest and conviction records in making hiring decisions?  
Has the program developed a policy which would prevent unlawful discrimination based on the arrest and conviction records of applicants?

7. If the sub-grantee has 50 or more employees and receives DOJ funding of \$25,000 or more, have they taken the following actions:

7a. Adopted grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging discrimination on the basis of a disability in employment practices and delivery of services?

Yes	No	N/A

7b. Designated a person to coordinate compliance with the Prohibitions Against disability contained in 28. C.F.R. Part 42, Subpart G?

Yes	No	N/A

7c. Notified participants, beneficiaries, employees, applicants, and others that the sub-grantee doesn't discriminate on the basis of disability?

Yes	No	N/A

8. If the sub-grantee operates an education program or activity, have taken the following actions:

8a. Adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education of 1972, which prohibits discrimination on the basis of sex?

Yes	No	N/A

**Comment:**

Yes	No	N/A



8b. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28. C.F.R. Part 54?

8c. Notified participants, beneficiaries, employees, applicants, and others that the sub-grantee doesn't discriminate on the basis of sex in its educational programs or activities?

**Comment:**

9. Has the program had any findings of discrimination in the last three years?

9a. Has the program complied with the requirements to Submit to the OCR any findings of discrimination against the program issued by a Federal or state court or federal or state agency on the grounds of race, color, religion, national origin, or sex?

Yes	No	N/A

**Comment:**

10. Does the program have a limited language proficiency plan to serve victims who are non-English speaking?

Yes	No	N/A

**Comment:**

11. Does the program conduct any training for its staff on the Requirements under federal civil rights laws?

Yes	No	N/A

**Comment:**

12. If the program conducts religious activities as part of its programs or services do they do the following:

12a Provide services to everyone regardless of religion or belief?

Yes	No	N/A

12b Ensure it doesn't use Federal funds to conduct religious activities such as prayer, religious instructions, or proselytization and that these activities are kept separate in time and place from federally funded activities?

Yes	No	N/A

12c Ensure that the participation in religious activities is voluntary for participants of the federally funded program?

Yes	No	N/A



13. Explain how all funded agencies/staff are ensuring that they are in compliance with the grant condition of prohibiting discrimination under the reauthorization of VAWA 2013. The grant conditions is as follows:

“No person in the United States shall, on the basis of **actual or perceived** race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, or activity funded in whole or in part with funds made available under STOP VAWA, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”

## Part 5: Financial

1. Is the project budget adequate for the goals and objectives as approved?

Yes	No	N/A

2. Are financial documents provided to DJCS in a timely and satisfactory manner?

Yes	No	N/A

**Comment:**

3. Do expenditures and obligations coincide with the projected budget?

Yes	No	N/A

4. Are vouchers, invoices, time sheets, and supporting documents appropriately canceled (stapled/perforated) to prevent duplicate reimbursement requests?

Yes	No	N/A

**Method of control:**

5. Do check numbers coincide with information in monthly reports?

Yes	No	N/A

6. Are matching funds utilized in this project and are they available as needed and in addition to funds that would be otherwise for this project?

Yes	No	N/A

- 6a. Are matching funds submitted at least on a quarterly basis?

Yes	No	N/A



- 6b. Explain if the sub-grantee submits in-kind or cash match and explain what is utilized for match (space, donations, volunteer time, etc.).

**Describe:**

- 6c. What type of documentation is submitted for match?

**Describe:**

7. Does the sub-grantee separate VAWA funds from other sources of funds?

Yes	No	N/A

**Describe:**

- 7a. Does the program have written policies and procedures outlined for the fiscal management of grants?

Attach to report

- 7b. Are all bank accounts reconciled upon receipt of statements?

Who performs this duty?

Is this person different than the person that prepares the checks?

- 7c. Are financial statements (at least balance sheet and income statement) prepared for the Board's or governing board (city council or County Commission) review? Is the Board able to compare actual expenditures with the budgeted expenditures?

- 7d. Are financial records adequately safeguarded (locked drawer/office/filing cabinet/if kept on computer password protected)?

- 7e. Are checks and cash income deposited in full?

- 7f. Does someone other than the person recording and endorsing checks, prepare and make deposits?

- 7g. Does the program maintain a list of authorized check signers?

8. Has the sub-grantee expended \$750,000 or more in Federal awards during the fiscal year in which they were awarded?

Yes	No	N/A

- 8a. If yes, has the program complied with the audit requirements set forth in the OMB Uniform Guidelines to complete an audit?

**Describe:**

9. Have copies been provided to DJCS as required?  
Are there any outstanding audit issues?

Yes	No	N/A



- 
- 9a. If yes, have the outstanding audit issues been resolved satisfactorily  
And promptly as required by Part 200 of the OMB Uniform Guidelines,  
9b. and/or address other outstanding issues that arise in connection  
with audits, investigations, or reviews of DOJ awards?

**Describe:**

- 9c. If not required to submit an audit has a financial report been submitted  
to DJCS with Board approval?

10. Are purchases, cash advances, payrolls, travel expenses,  
etc., approved by authorized personnel?

Yes	No	N/A

**Who/Title:**

11. Does your agency have a plan for sustainability in the event that  
VAWA funds are eliminated?

Yes	No	N/A

12. Has VAWA funds been used to print program literature such as  
program brochures, posters, etc.?

Yes	No	N/A

- 12a Was the VAWA grant number, USDOJ-OVC, and DJCS listed on the  
brochure?

Yes	No	N/A

- 12b Was a copy of the printed program literature submitted to DJCS for  
pre-approval 90 days prior to the printing of said materials?

Yes	No	N/A

13. Are all funds going to be expended by June 30, 2016?  
What steps is the project taking to expend these funds as awarded?

14. If a credit card is used for purchases are there written control procedures in place for the  
following:

Purchases approved by proper authorizing person? Who/Title:

Receipt or invoice of purchase given to finance person to attach to credit card prior to  
payment?

How are missing receipts for purchases handled?

## Part 6: Personnel

1. Are there personnel records on file for each of the VAWA funded  
staff?

Yes	No	N/A



1a. Where are these files kept?

**Describe:**

1b. Does all the VAWA funded staff have employee appraisals or evaluations?

**Attach blank evaluation form**

1c. Are evaluations completed annually?

Yes	No	N/a

2. Are personnel assigned to the project adequate to accomplish the goals and objectives of the project?

Yes	No	N/A

3. Are grantee personnel being paid in accordance with the salary approved in the application?

Yes	No	N/A

4. Are all authorized staff positions filled?

**If no,**

**Why:**

**When to be hired:**

**Estimated Slippage:** \$ \_\_\_\_\_

Yes	No	N/A

5. Did the hiring of any of these positions require a backfilling of a position?

Yes	No	N/A

5a. If so, who backfilled the position and what was the hiring date?

**Comment:**

6. Does the sub-grantee have written job descriptions for each VAWA funded staff?

Yes	No	N/A

**Comment: Enclosed in the grant file.**

7. Do employees possess qualifications as stated in the job description?

Yes	No	N/A

8. Are duties of staff and time allocations consistent with the approved grant award?

Yes	No	N/A

9. Are daily time and attendance records for personnel assigned to the project maintained and signed by both the employee and supervisor?

Yes	No	N/A

10. Are receipts kept as proof of payment (check stubs, payroll Registers, etc.) by employee and supervisor?

Yes	No	N/A



11. Does the grantee comply with Minimum wage and Maximum hours provisions of the Fair Labor and Standards Act? 

Yes	No	N/A
- 11a. Is the program and staff aware of the new overtime rule which falls under the Fair Labors and Standards Act and went into effect December 2016? Are they in compliance?
12. Does the Project have a written hiring and firing and grievance procedure? 

Yes	No	N/A
13. Is staff aware of the hiring/firing and grievance process?  
**Describe:**

Yes	No	N/A
14. Is an I-9 (Immigration and Naturalization Service Employment Eligibility Form) on file for each grant employee?
15. Is there a written policy for staff to have access to board of directors/county commissions/city council either for personnel issues or other issues?  
How is that policy communicated to staff?

## Part 7: Professional and Contractual Services

1. Are contract or consultant services included in the grant award? 

Yes	No	N/A
2. Is there a formal written contract on file outlining the specific work to be performed by the consultant? 

Yes	No	N/A
3. Has a copy of the formal written contract been submitted to DJCS for written approval **prior** to execution of same? 

Yes	No	N/A
4. Does the statement of work to be performed agree with the grant award? 

Yes	No	N/A

## Part 8: Travel

1. Are travel expenses included in the grant award? 

Yes	No	N/A
2. Are expenditures for travel adequately documented with travel form, Invoices, proof of payment, and agenda/certificates. 

Yes	No	N/A
3. Are travel expenditures in compliance with those outlined in the VAWA Program Administrative Manual? 

Yes	No	N/A



## Part 9: Training

1. Are training expenses for staff included in the grant award?

Yes	No	N/A

2. If yes, list the training attended funded by VAWA; also list any new procedures/practices been implemented as a result of the training.

**Describe:**

3. Are expenses to host a training event included in the Grant award?

Yes	No	N/A

- 3a. If yes, was agenda topics and speaker bios submitted to and approved by DJCS prior to training?

Yes	No	N/A

4. Have the VAWA funded staff completed the 8 hour minimum training requirement and submitted certificate of attendance to DJCS?

5. Were training evaluations completed by participants and submitted to DJCS?

5. What does the project consider the greatest training need(s) for its VAWA funded staff?

- 5a. How does the agency identify the training needs of their staff? Once identified, what resources does the agency utilize to ensure the appropriate trainings are utilized?

6. What does the project consider the greatest training need(s) for the community it serves?

## Part 10: General Equipment

1. Has computer, laptop and/or equipment been purchased with VAWA Funds in the past three years?

Yes	No	N/A

2. If yes, are the items purchased marked "Purchased with funds provided by the WV Division of Justice & Community Services?" (List all computer/equipment with ID numbers):



3. Does computer and equipment purchased meet specifications stated in grant application?
 

Yes	No	N/A
4. If a computer has been purchased, has the project submitted a Computer Listing Form to DJCS?
 

Yes	No	N/A
5. If yes, how is the computer, laptop and equipment utilized for VAWA and how is security maintained?  
**Describe:**
6. What system does the grantee utilize to ensure grant funded computers and/or equipment is properly controlled, preserved, used, maintained, disposed of and/or returned to DJCS?  
**Describe:**
7. If the program has a computer network system or access to internet, are there network blocks and/or a policy for viewing, downloading and exchanging of pornography? (this does not refer to investigations or prosecutions)

## Part 11: Volunteers

1. Is the program utilizing volunteers for the VAWA funded Project?
 

Yes	No	N/A
2. How many volunteers are donating time to this project?  
**Number of volunteers:** \_\_\_\_\_
3. Is there a method of logging volunteer hours?  
**Method used:**

Yes	No	N/A
4. If volunteer hours are used as in-kind match, is the agency meeting match requirement?
 

Yes	No	N/A
5. If the project is utilizing volunteers for match, are the volunteer activities in compliance with grant approved activities and allowable under the grant?

## Part 12: Underserved Populations

1. Does the project currently serve underserved populations?
 

Yes	No	N/A
2. What is your identified underserved population(s)?  
**Describe:**
3. What efforts have been made to reach underserved populations?  
**Describe:**



## Part 13: Crime Victims Compensation

1. Is the program and funded staff aware it is a federal requirement to Inform and assist in completing and filing Crime Victim Compensation Forms/claims as a condition in receiving VOCA funds?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |

- 1a. Does the project assist victims in informing, completing and filing Victim Compensation claims?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |

2. Of the following, what steps does the project take in assisting victims with Crime Victim Compensation claims:

- ☐ Notifying crime victims about the Crime Victims Compensation Fund
- ☐ Assisting victims with Crime Victims Compensation Application Forms
- ☐ Assistance with Obtaining Necessary Documentation
- ☐ Checking on Crime Victims Claim Status

If the answer to question 1 is No, **please explain** why the project is not providing this service:

## Part 14: Project Coordination

1. Is there project coordination with :

☐ Prosecution

☐ Law Enforcement

☐ Victim Services

☐ Linguistic/Cultural Specific Organization

☐ Faith-based Organization

☐ Other

2. Explain extent of coordination as it pertains to improving the system's response and serving VAWA victims:

**Victim Services:**

**Law Enforcement:**

**Prosecution:**

**Cultural Specific Organization:**

**Faith-based Organization:**

**Other:**



3. Explain how the project coordinates with non-profit organizations in the development of their application and project (State Agencies Only):

5. Challenges of the Project:

## Part 15: Project Implementation/Impact

1. Are changes in the project required/recommended?

Yes	No	N/A

**Comment: See page**

2. Are the costs of the project reasonable?

Yes	No	N/A

3. Are there plans to continue the project at the end of the grant period?

Yes	No	N/A

4. Are there plans to change, add or eliminate any services for next year's grant proposal?

Yes	No	N/A

**Describe:**



## POST-SITE MONITORING REPORT AND CERTIFICATION

### Results from Last Monitoring Visit:

Findings:

Recommendations:

### Results from Current Monitoring Visit:

Findings:

Recommendations:

### List of Attachments:

### Next Monitoring Period:

	6 Months
	12 Months
	Next Monitoring Cycle

### Certification:

I certify that all information presented is correct. That the subgrantee, except where noted, is in compliance with the provisions of the STOP Violence Against Women Program and all applicable federal laws, regulations, and guidelines.

---

Justice Programs Monitor

Date

I have reviewed the above information and agree with the report finding and/or corrective actions taken or proposed.

---

Supervisor

Date



# DIVISION OF JUSTICE AND COMMUNITY SERVICES

## STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM

### (STOP Teams) SUBGRANTEE ON-SITE MONITORING REPORT

The Division of Justice and Community Services staff has completed an on-site visit to your grant program during the current project period to monitor the performance of grant-supported activities. The purpose of the site visit was:

1. Determine progress made toward achieving project objectives
2. Determine compliance with terms, conditions, and purpose of grant
3. Identify technical assistance needs; and
4. Provide guidance of future design or funding of similar projects\*

<b>SUBGRANTEE:</b>			
<b>GRANT CATEGORY:</b>	STOP VAWA -		
<b>GRANT NUMBER:</b>			
<b>DATE OF REVIEW:</b>		<b>TIME:</b>	
<b>GRANT PERIOD:</b>			
<b>PREVIOUS REVIEW:</b>			
<b>CURRENT REVIEWER:</b>			

#### Description of Project:

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#### Agency Staff Interviewed:

NAME	TITLE	PHONE	EMAIL



## Part 1: Status of Objectives Approved in Grant Application:

1.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

2.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

3.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

4.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			



5.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

1.	Are the project objectives realistic and attainable, with consideration given to the available resources?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
2.	Have the project's proposed activities matched the services offered to date?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

3.	Do the project activities provide direct services to victims?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
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4.	Are there objectives and/ or activities for each funded agency (e.g. Law Enforcement, Victim Services, and Prosecution)?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
----	--	------------	-----------	------------

5.	Are there objectives for the STOP Team as a whole?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
----	--	------------	-----------	------------

6.	Does the program ensure that victims are afforded their victim rights?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
----	--	------------	-----------	------------

**Describe:**

7. How do the VAWA funded staff ensure that victims are afforded their rights?

**Describe:**

**Victim Services:**

**Cultural Specific Services:**

**Prosecution:**

**Law Enforcement:**

8. How have these funds improved the system's response to victims of domestic violence, sexual assault, stalking and dating violence?

9. Is the program aware they are required to report duplicative funding if they have active awards of federal funds (in whole or in part) for one or more of the identical costs items for which funds are provided under this award?



## Part 2: Program Site

1. Are the facilities appropriate for the services being offered, for both staff and clients?
 

Yes	No	N/A
  
2. Are the facilities easily accessed by disabled victims?  
**Describe:**

Yes	No	N/A
  
- 2a. Is the program accessible for the blind, deaf and speech impaired?  
**Describe:**

Yes	No	N/A
  
3. If children are served, is play space with appropriate toys and equipment provided?
 

Yes	No	N/A

## Part 3: Records

1. Does the grant file include the following:
  - ☐ Approved Grant Application and Contract
  - ☐ Standard, Special, and Supplemental Conditions
  - ☐ Project Budget Adjustments & Other Grant Adjustments
  - ☐ Correspondence to DJCS and from DJCS
  - ☐ Monthly Progress Reports, Statistical Reports, STOP Team Meeting Minutes
  - ☐ Request for reimbursements, Financial Project Reports, & Supporting Financial Documents.**If no, please explain:**
  
- 1a. Does the project keep copies of grant files at a minimum for three years after the Federal Grant Period ends?  
 Where are they kept?
  
2. Is the sub-grantee in compliance with all the standard, special, and supplemental conditions attached to the grant award?
 

Yes	No	N/A
  
3. Did project implementation occur within 60 days of the designated start date?
 

Yes	No	N/A
  
4. Does the project director have a copy of the Administrative Manual?
  - ☐ Current FY Administrative Manual CD
  - ☐ Hard Copy of FY 2016 Administrative Manual**If no, please explain:**



5.	Is the STOP Team being evaluated (including self-evaluations)?	Yes	No	N/A
6.	Does the evaluation ensure client confidentiality? <b>(attach a copy of evaluation to report)</b>	Yes	No	N/A
7.	Are required project reports submitted in a timely and satisfactory manner?	Yes	No	N/A
7a.	Are monthly statistical/progress report forms submitted?	Yes	No	N/A
7b.	Are copies of Board of Directors and STOP Team Meeting Minutes submitted with reports?	Yes	No	N/A
8.	Are up-to-date client records being kept?	Yes	No	N/A
8a.	Are client records maintained in systematic manner?	Yes	No	N/A
9.	Are client records maintained in a secure manner to assure confidentiality?	Yes	No	N/A
9a.	Are records secured in a locked file cabinet?	Yes	No	N/A
9b.	If client files are kept on a computer, is there a privacy password?	Yes	No	N/A
10.	Does the sub-grantee have a written client confidentiality policy on file? <b>(Attach confidentiality policy to report)</b>	Yes	No	N/A
10a.	Does it comply with the requirements of VAWA 2005 and 2013?	Yes	No	N/A
11.	Is the Project using the most recent approved/required Monthly report forms for this grant?	Yes	No	N/A
12.	Does the Project have a DUNS Number?	Yes	No	N/A
13.	Is the Project Registered with the System for Award Management (SAM) and is up to date? (Attach Copy)	Yes	No	N/A



**Expires:**

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14. Does the project refer to other victim service programs?

**Describe method used to track referrals:**

**Victim Services:**

**Cultural Specific:**

**Law Enforcement:**

**Prosecution:**

15. Does the program have copies of documents certifying their non-profit status on file? (Non-Profit Only):

- ☐ 501 (c )(3) IRS designation letter  
☐ Secretary of State Letter declaring non-profit status  
☐ Articles of Incorporation

If no, **please explain:**

16. Are financial statements available online for public viewing? (Non-Profits Only):

- ☐ Filed IRS Form 990 or similar tax document (e.g., 990-EZ)  
☐ Other (**please Explain**):

17. Did the project receive funds for Sexual Assault Set Aside? Check all that apply:

- ☐ Victim Services  
☐ Law Enforcement  
☐ Prosecution

18. If yes, explain how these funds meaningfully address sexual violence. How the funds will be utilized to both provide quality and responsive services to victims; or to improve the system's response to victims of sexual assault; build the state's capacity to do so; and if they are working currently with West Virginia's Sexual Assault Coalition.

19. Explain methods of data collection for the following:

Victim Services:

Law Enforcement:

Prosecution:

- 19a. How is this data used to improve services and/or the system's response to VAWA victims?

- 19b. Does the STOP Team involve the community, clients and other agencies in the evaluation?

#### **Part 4: Civil Rights/Equal Employment Opportunity Plans:**



1. Is the sub-grantee required to have an EEOP Short Form As required by 28 C.F.R. § 42.301-.308 on file?
 

Yes	No	N/A
2. If yes, on what date did the sub-grantee prepare the EEOP?  
**Date/Comment:**
- 2b. Has the EEOP been submitted to proper authorities?
 

Yes	No	N/A
3. If not required to submit an EEOP Short Form has the Sub-grantee submitted a certification form to OCR Claiming a partial or complete exemption from the EEOP requirements?
 

Yes	No	N/A
- 3a. If yes, on what date did the sub-grantee submit and prepare the EEOP Certificate claiming exemption?  
**Date/Comment:**
4. How does the sub-grantee notify program participants and beneficiaries that it doesn't discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services (e.g. posters, inclusion in brochures or program materials, etc.)?
5. How does the sub-grantee notify employees that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in employment practices (e.g. posters, dissemination of relevant orders, or policies, inclusion in recruitment materials, etc.)?
6. Does the sub-grantee have a written policy for notifying Clients or staff on how to file complaints alleging Discrimination by the sub-grantee with DJCS or the ORC?  
Describe:
- 6 a. Are you aware the OCR issued an advisory document for sub-recipients on the proper use of arrest and conviction records in making hiring decisions?  
Has the program developed a policy which would prevent unlawful discrimination based on the arrest and conviction records of applicants?
7. If the sub-grantee has 50 or more employees and receives DOJ funding of \$25,000 or more, have they taken the following actions:



- 7 Adopted grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging discrimination on the basis of a disability in employment practices and delivery of services?

Yes	No	N/A

- 7 Designated a person to coordinate compliance with the Prohibitions Against disability contained in 28. C.F.R. Part 42, Subpart G?

Yes	No	N/A

- b. 7c. Notified participants, beneficiaries, employees, applicants, and others that the sub-grantee doesn't discriminate on the basis of disability?

Yes	No	N/A

8. If the sub-grantee operates an education program or activity, have taken the following actions:

- 8a. Adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education of 1972, which prohibits discrimination on the basis of sex?

Yes	No	N/A

**Comment:**

- 8b. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28. C.F.R. Part 54?

Yes	No	N/A

- 8c. Notified participants, beneficiaries, employees, applicants, and others that the sub-grantee doesn't discriminate on the basis of sex in its educational programs or activities?

**Comment:**

9. Has the program had any findings of discrimination in the last three years?

- 9a. Has the program complied with the requirements to Submit to the OCR any findings of discrimination against the program issued by a Federal or state court or federal or state agency on the grounds of race, color, religion, national origin, or sex?

Yes	No	N/A

**Comment:**

10. Does the program have a limited language proficiency plan to serve victims who are non-English speaking?

Yes	No	N/A

**Comment:**

11. Does the program conduct any training for its staff on the Requirements under federal civil rights laws?

Yes	No	N/A

**Comment:**



12. If the program conducts religious activities as part of its programs or services do they do the following:

12a Provide services to everyone regardless of religion or belief?

Yes	No	N/A

12b Ensure it doesn't use Federal funds to conduct religious activities such as prayer, religious instructions, or proselytization and that these activities are kept separate in time and place from federally funded activities?

Yes	No	N/A

12c Ensure that the participation in religious activities is voluntary for participants of the federally funded program?

Yes	No	N/A

13. Explain how all funded agencies/staff are ensuring that they are in compliance with the grant condition of prohibiting discrimination under the reauthorization of VAWA 2013. The grant condition is as follows:

"No person in the United States shall, on the basis of **actual or perceived** race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, or activity funded in whole or in part with funds made available under STOP VAWA, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women."

## Part 5: Financial

1. Is the project budget adequate for the goals and objectives as approved?

Yes	No	N/A

2. Are financial documents provided to DJCS in a timely and satisfactory manner?

Yes	No	N/A

**Comment:**

3. Do expenditures and obligations coincide with the projected budget?

Yes	No	N/A

4. Are vouchers, invoices, time sheets, and supporting documents

Yes	No	N/A



appropriately canceled (stapled/perforated) to prevent duplicate reimbursement requests?

--	--	--

**Method of control:**

5. Do check numbers coincide with information in monthly reports?

Yes	No	N/A

6. Are matching funds utilized in this project and are they available as needed and in addition to funds that would be otherwise for this project?

Yes	No	N/A

- 6a. Are matching funds submitted at least on a quarterly basis?

Yes	No	N/A

- 6b. Explain if the sub-grantee submits in-kind or cash match and explain what is utilized for match (space, donations, volunteer time, etc.).

**Describe:**

**Victim Services:**

**Cultural Specific Services:**

**Law Enforcement:**

**Prosecution:**

- 6c. What type of documentation is submitted for match?

**Describe:**

**Victim Services:**

**Cultural Specific Services:**

**Law Enforcement:**

**Prosecution:**

7. Does the sub-grantee separate VAWA funds from other sources of funds?

Yes	No	N/A

**Describe:**

- 7a. Does the program have written policies and procedures outlined for the fiscal management of grants?

Attach to report

- 7b. Are all bank accounts reconciled upon receipt of statements?

Who performs this duty?

Is this person different than the person that prepares the checks?



- 7c. Are financial statements (at least balance sheet and income statement) prepared for the Board's or governing board (city council or County Commission) review? Is the Board able to compare actual expenditures with the budgeted expenditures?
- 7d. Are financial records adequately safeguarded (locked office/drawer/file cabinet or password protected if kept on computer)?
- 7e. Are checks and cash income deposited in full?
- 7f. Does someone other than the person recording and endorsing checks, prepare and make deposits?
- 7g. Does the program maintain a list of authorized check signers?
8. Has the sub-grantee expended \$750,000 or more in Federal awards during the fiscal year in which they were awarded?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- 8a. If yes, has the program complied with the audit requirements set from in the OMB Uniform Guidelines to complete an audit?  
**Describe:**
- 8b. Have copies been provided to DJCS as required?
9. Are there any outstanding audit issues?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- 9a. If yes, have the outstanding audit issues been resolved satisfactorily And promptly as required by Part 200 of the OMB Uniform Guidelines, and/or address other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards?  
**Describe:**
- 9b. If not required to submit an audit has a financial report been submitted to DJCS with Board approval?
10. Are purchases, cash advances, payrolls, travel expenses, etc., approved by authorized personnel?  
**Who/Title:**
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
11. Does the sub-grantee charge client fees for services?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
12. Does your agency have a plan for sustainability in the event that VAWA funds are eliminated?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |



13. Has VAWA funds been used to print program literature such as program brochures, posters, etc.?

Yes	No	N/A

13a Was the VAWA grant number, USDOJ-OVC, and DJCS listed on the brochure?

Yes	No	N/A

13b Was a copy of the printed program literature submitted to DJCS for Pre-approval prior to the printing of said materials?

Yes	No	N/A

12. If the sub-grantee has multiple agencies/budgets under the sub-grant have all funded agencies been reimbursed within 30 days after receiving reimbursement from DJCS/Auditor's Office? (Review cancelled checks showing reimbursement)

13. Are all funds going to be expended by June 30, 2016?  
What steps is the project taking to expend these funds as awarded?

14. If a credit card is used for purchases are there written control procedures in place for the following:  
Purchases approved by proper authorizing person? Who/Title:  
Receipt or invoice of purchase given to finance person to attach to credit card prior to payment?  
How are missing receipts for purchases handled?

## Part 6: Personnel

1. Are there personnel records on file for each of the VAWA funded staff? **Attach blank evaluation form**

Yes	No	N/A

1a. Where are these files kept?  
**Describe:**  
**Victim Services:**  
**Cultural Specific Services:**  
**Law Enforcement:**  
**Prosecution:**

1b. Does all the VAWA funded staff have employee appraisals or evaluations?  
**Victim Services:**  
**Cultural Specific Services:**  
**Law Enforcement:**  
**Prosecution:**



- 1c. Are evaluations completed annually for all funded agency's staff? 

Yes	No	N/a
2. Are personnel assigned to the project adequate to accomplish the goals and objectives of the project? 

Yes	No	N/A
3. Are grantee personnel being paid in accordance with the salary approved in the application? 

Yes	No	N/A
4. Are all authorized staff positions filled?  
**If no,**  
**Why:**  
**When to be hired:**  
**Estimated Slippage:** \$\_\_\_\_\_ 

Yes	No	N/A
5. Did the hiring of any of these positions require a backfilling of a position? 

Yes	No	N/A
- 5a. If so, who backfilled the position and what was the hiring date?  
**Comment:**
6. Does the sub-grantee have written job descriptions for each VAWA funded staff? 

Yes	No	N/A

  
**Comment: Enclosed in the grant file.**
7. Do employees possess qualifications as stated in the job description? 

Yes	No	N/A
8. Are duties of staff and time allocations consistent with the approved grant award? 

Yes	No	N/A
9. Are daily time and attendance records for personnel assigned to the project maintained and signed by both the employee and supervisor? 

Yes	No	N/A
10. Are receipts kept as proof of payment (check stubs, payroll Registers, etc.) by employee and supervisor? 

Yes	No	N/A
11. Does the grantee comply with Minimum wage and Maximum hours provisions of the Fair Labor and Standards Act? 

Yes	No	N/A



11a Is the program and staff aware of the new overtime rule which falls under the Fair Laborers and Standards Act and went into effect December 2016? Are they in compliance?

12. Does the Project have a written hiring, firing and grievance procedure? 

Yes	No	N/A

13. Is staff aware of the hiring, firing and grievance process?  
**Describe:**

Yes	No	N/A

14. Is an I-9 (Immigration and Naturalization Service Employment Eligibility Form) on file for each grant employee?

15. Is there a written policy for staff to have access to board of directors/county commissions/city council either for personnel issues or other issues?  
How is that policy communicated to staff?

## Part 7: Professional and Contractual Services

1. Are contract or consultant services included in the grant award? 

Yes	No	N/A

2. Is there a formal written contract on file outlining the specific work to be performed by the consultant? 

Yes	No	N/A

3. Has a copy of the formal written contract been submitted to DJCS for written approval **prior** to execution of same? 

Yes	No	N/A

4. Does the statement of work to be performed agree with the grant award? 

Yes	No	N/A

## Part 8: Travel

1. Are travel expenses included in the grant award? 

Yes	No	N/A

2. Are expenditures for travel adequately documented with vouchers? 

Yes	No	N/A

3. Are travel expenditures in compliance with those outlined in the VAWA 

Yes	No	N/A



--	--	--

## Part 9: Training

1. Are training expenses for staff included in the grant award?

Yes	No	N/A

2. If yes, list the training attended funded by VAWA; also list any new procedures/practices been implemented as a result of the training.

**Describe:**

3. Are expenses to host a training event included in the Grant award?

Yes	No	N/A

- 3a If yes, was agenda topics and speaker bios submitted to and approved by DJCS prior to training?

Yes	No	N/A

- 3b Did the project review the DOJ Conference Training Requirements and Comply with these requirements?

Yes	No	N/A

4. Have the VAWA funded staff completed the 8 hour minimum training requirement and submitted a certificate of attendance to DJCS?

5. What does the project consider the greatest training need(s) for its VAWA funded staff?

**Victim Services:**

**Law Enforcement:**

**Prosecution:**

**Cultural Specific Organization:**

**Faith-based Organization:**

**Other:**

- 5a. How does the agency identify training needs of their staff? Once identified, what resources does the agency utilize to ensure the appropriate trainings are utilized?

- 5b. Is the agency and staff aware of how to request additional training and/or technical assistance from the West Virginia Division of Justice & Community Services?

6. What does the project consider the greatest training need(s) for the community it serves?



## Part 10: General Equipment

1. Has computer, laptop and/or equipment been purchased with VAWA Funds in the past three years?

Yes	No	N/A

2. If yes, are the items purchased marked "Purchased with funds provided by the WV Division of Justice & Community Services?"

**(List all computer/equipment with ID numbers):**

3. Does computer and equipment purchased meet specifications stated in grant application?

Yes	No	N/A

4. If a computer has been purchased, has the project submitted a Computer Listing Form to DJCS?

Yes	No	N/A

5. If yes, how is the computer, laptop and equipment utilized for VAWA and how is security maintained?

**Describe:**

6. What system does the grantee utilize to ensure grant funded computers and/or equipment is properly controlled, preserved, used, maintained, disposed of and/or returned to DJCS?

**Describe:**

7. If the program has a computer network system or access to the internet, are there network blocks and/or a policy for viewing, downloading and exchanging of pornography? (this does not refer to investigations or prosecutions)

## Part 11: Volunteers

1. Is the program utilizing volunteers for the VAWA funded Project?

Yes	No	N/A

2. How many volunteers are donating time to this project?

**Number of volunteers:** \_\_\_\_\_

3. Is there a method of logging volunteer hours?

**Method used:**

Yes	No	N/A

4. If volunteer hours are used as in-kind match, is the agency meeting

Yes	No	N/A



match requirement?

--	--	--

5. If the project is utilizing volunteers for match, are the volunteer activities in compliance with grant approved activities and allowable under the grant?

## Part 12: Underserved Populations

1. Does the project currently serve underserved populations?

Yes	No	N/A

2. What is your identified underserved population(s)?

**Describe:**

3. What efforts have been made to reach underserved populations by the STOP Team?

**Describe:**

4. Please describe some of the services that victims needed but you could not provide within your community. What were the challenges that prevented you from providing those services?

**Describe:**

## Part 13: Crime Victims Compensation

1. Is the program and funded staff aware it is a federal requirement to Inform and assist in completing and filing Crime Victim Compensation Forms/claims as a condition in receiving VOCA funds?

Yes	No	N/A

- 1a. Does the project assist victims in informing, completing and filing Victim Compensation claims?

Yes	No	N/A

2. Of the following, what steps does the project take in assisting victims with Crime Victim Compensation claims:

- ☐ Notifying crime victims about the Crime Victims Compensation Fund
- ☐ Assisting victims with Crime Victims Compensation Application Forms
- ☐ Assistance with Obtaining Necessary Documentation
- ☐ Checking on Crime Victims Claim Status

If the answer to question 1 is No, **please explain** why the project is not providing this service:

## Part 14: Project Coordination

1. Is there project coordination with:



<input type="checkbox"/>	Prosecution
<input type="checkbox"/>	Law Enforcement
<input type="checkbox"/>	Victim Services
<input type="checkbox"/>	Linguistic/Cultural Specific Organization
<input type="checkbox"/>	Faith-based Organization
<input type="checkbox"/>	Other

2. Explain extent of coordination as it pertains to improving the system's response and serving VAWA victims:  
**Victim Services:**  
**Law Enforcement:**  
**Prosecution:**  
**Cultural Specific Organization:**  
**Faith-based Organization:**  
**Other:**
3. Extent of attendance by **core** STOP Team/Advisory Committee Members:  
**July-**  
**August –**  
**September –**  
**October –**  
**November –**  
**December –**  
**January –**  
**February –**  
**March –**  
**April –**  
**May –**  
**June -**
4. Explain how the STOP Team utilizes, evaluates the County-specific VAWA Protocol and if it has been reviewed and updated:  
 Has a revised copy been provided to DJCS?
5. Challenges of the Project:

## Part 15: Project Implementation/Impact



1. Are changes in the project required/recommended?

Yes	No	N/A

**Comment: See page**

2. Are the costs of the project reasonable?

Yes	No	N/A

3. Are there plans to continue the project at the end of the grant period?

Yes	No	N/A

4. Are there plans to change, add or eliminate any services for next year's grant proposal?

Yes	No	N/A

**Describe:**

## **POST-SITE MONITORING REPORT AND CERTIFICATION**

### **Results from Last Monitoring Visit:**

**Findings:**

**Recommendations:**

### **Results from Current Monitoring Visit:**

**Findings:**

**Recommendations:**

### **List of Attachments:**

### **Next Monitoring Period:**

	6 Months
	12 Months
	Next Monitoring Cycle

### **Certification:**



I certify that all information presented is correct. That the subgrantee, except where noted, is in compliance with the provisions of the STOP Violence Against Women Program and all applicable federal laws, regulations, and guidelines.

---

Justice Programs Monitor

Date

I have reviewed the above information and agree with the report finding and/or corrective actions taken or proposed.

---

Supervisor

Date



# DIVISION OF JUSTICE AND COMMUNITY SERVICES

## STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM

### (STOP Teams) SUBGRANTEE Self-MONITORING REPORT

<b>SUBGRANTEE:</b>			
<b>GRANT CATEGORY:</b>	STOP VAWA -		
<b>GRANT NUMBER:</b>			
<b>DATE</b>			
<b>GRANT PERIOD:</b>	July 1, 2016- June 30, 2017		

#### Part 1: Status of Objectives Approved in Grant Application:

Enter the objective and note status of each objective- add more tables if needed.

1.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

2.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

3.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			



4.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

5.			
	Completed	<b>Support Documentation</b>	
	In Progress		Attached
	Scheduled to Begin		Will be Submitted
	Will Not Complete Because		With Monthly Report
	Are the Project Objectives Clearly Written?		
	Are the Project Objectives Measurable?		
<b>Status:</b>			

1.	Are the project objectives realistic and attainable, with consideration given to the available resources?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
2.	Have the project's proposed activities matched the services offered to date?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

3.	Do the project activities provide direct services to victims?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

4.	Are there objectives and/ or activities for each funded agency (e.g. Law Enforcement, Victim Services, and Prosecution)?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

5.	Are there objectives for the STOP Team as a whole?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

6.	Does the program ensure that victims are afforded their victim rights?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

**Describe:**

7. How do the VAWA funded staff ensure that victims are afforded their rights?

**Describe:**

**Victim Services:**



**Cultural Specific Services:**

**Prosecution:**

**Law Enforcement:**

8. How have these funds improved the system's response to victims of domestic violence, sexual assault, stalking and dating violence?
9. Is the program aware they are required to report duplicative funding if they have active awards of federal funds (in whole or in part) for one or more of the identical costs items for which funds are provided under this award?

**Part 2: Program Site**

1. Are the facilities easily accessed by disabled victims?

**Describe:**

Yes	No	N/A

- 2a. Is the program accessible for the blind, deaf and speech impaired?

**Describe:**

Yes	No	N/A

3. If children are served, is play space with appropriate toys and equipment provided?

Yes	No	N/A

**Part 3: Records**

1. Does the grant file include the following:

- ☐ Approved Grant Application and Contract
- ☐ Standard, Special, and Supplemental Conditions
- ☐ Project Budget Adjustments & Other Grant Adjustments
- ☐ Correspondence to DJCS and from DJCS
- ☐ Monthly Progress Reports, Statistical Reports, STOP Team Meeting Minutes
- ☐ Request for reimbursements, Financial Project Reports, & Supporting Financial Documents.

**If no, please explain:**

- 1a. Does the project keep copies of grant files at a minimum for three years after the Federal Grant Period ends?  
Where are, they kept?

2. Does the project director have a copy of the Administrative Manual?

- ☐ Current FY Administrative Manual CD
- ☐ Hard Copy of FY 2016 Administrative Manual

**If no, please explain:**



3.	Is the STOP Team being evaluated (including self-evaluations)?	Yes	No	N/A

4.	Does the evaluation ensure client confidentiality? <b>(attach a copy of evaluation to report)</b>	Yes	No	N/A

5.	Are up-to-date client records being kept?	Yes	No	N/A

5a.	Are client records maintained in systematic manner?	Yes	No	N/A

6.	Are client records maintained in a secure manner to assure confidentiality?	Yes	No	N/A

6a.	Are records secured in a locked file cabinet?	Yes	No	N/A

6b.	If client files are kept on a computer, is there a privacy password?	Yes	No	N/A

7.	Does the sub-grantee have a written client confidentiality policy on file? <b>(Attach confidentiality policy to report)</b>	Yes	No	N/A

7a.	Does it comply with the requirements of VAWA 2005 and 2013?	Yes	No	N/A

8.	Does the Project have a DUNS Number?	Yes	No	N/A

9.	Is the Project Registered with the System for Award Management (SAM) and is up to date? (Attach Copy) <b>Expires:</b>	Yes	No	N/A

10. Does the project refer to other victim service programs?  
**Describe method used to track referrals:**  
**Victim Services:**  
**Cultural Specific:**  
**Law Enforcement:**  
**Prosecution:**

11. Are financial statements available online for public viewing? (Non-Profits Only):

☐ Filed IRS Form 990 or similar tax document (e.g., 990-EZ)

12. Did the project receive funds for Sexual Assault Set Aside? Check all that apply:



- ☐ Victim Services
- ☐ Law Enforcement
- ☐ Prosecution

13. If yes, explain how these funds meaningfully address sexual violence. How the funds will be utilized to both provide quality and responsive services to victims; or to improve the system's response to victims of sexual assault; build the state's capacity to do so; and if they are working currently with West Virginia's Sexual Assault Coalition.
14. Explain methods of data collection for the following:  
 Victim Services:  
 Law Enforcement:  
 Prosecution:
- 14a. How is this data used to improve services and/or the system's response to VAWA victims?
- 14b. Does the STOP Team involve the community, clients and other agencies in the evaluation?

#### Part 4: Civil Rights/Equal Employment Opportunity Plans:

1. Is the sub-grantee required to have an EEOP Short Form As required by 28 C.F.R. § 42.301-.308 on file?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
2. If yes, on what date did the sub-grantee prepare the EEOP?  
**Date/Comment:**
- 2b. Has the EEOP been submitted to proper authorities?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
3. If not required to submit an EEOP Short Form has the Sub-grantee submitted a certification form to OCR Claiming a partial or complete exemption from the EEOP requirements?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
- 3a. If yes, on what date did the sub-grantee submit and prepare the EEOP Certificate claiming exemption?  
**Date/Comment:**
4. How does the sub-grantee notify program participants and beneficiaries that it doesn't discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services (e.g. posters, inclusion in brochures or program materials, etc.)?



5. How does the sub-grantee notify employees that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in employment practices (e.g. posters, dissemination of relevant orders, or policies, inclusion in recruitment materials, etc.)?

6. Does the sub-grantee have a written policy for notifying Clients or staff on how to file complaints alleging Discrimination by the sub-grantee with DJCS or the ORC?  
Describe:

6 Are you aware the OCR issued an advisory document for sub-recipients on the proper use of arrest and conviction records in making hiring decisions?  
a. Has the program developed a policy which would prevent unlawful discrimination based on the arrest and conviction records of applicants?

If the sub-grantee has 50 or more employees and receives DOJ funding of \$25,000 or more, have they taken the following actions:

7 Adopted grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging discrimination on the basis of a disability in employment practices and delivery of services?  
a.

Yes	No	N/A

7 Designated a person to coordinate compliance with the Prohibitions  
b. Against disability contained in 28. C.F.R. Part 42, Subpart G?

Yes	No	N/A

7c. Notified participants, beneficiaries, employees, applicants, and others that the sub-grantee doesn't discriminate on the basis of disability?

Yes	No	N/A

8. If the sub-grantee operates an education program or activity, have taken the following actions:

8a. Adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education of 1972, which prohibits discrimination on the basis of sex?

Yes	No	N/A

**Comment:**

Yes	No	N/A



8b. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28. C.F.R. Part 54?

8c. Notified participants, beneficiaries, employees, applicants, and others that the sub-grantee doesn't discriminate on the basis of sex in its educational programs or activities?

**Comment:**

9. Has the program had any findings of discrimination in the last three years?

9a. Has the program complied with the requirements to Submit to the OCR any findings of discrimination against the program issued by a Federal or state court or federal or state agency on the grounds of race, color, religion, national origin, or sex?

Yes	No	N/A

**Comment:**

10. Does the program have a limited language proficiency plan to serve victims who are non-English speaking?

Yes	No	N/A

**Comment:**

11. Does the program conduct any training for its staff on the Requirements under federal civil rights laws?

Yes	No	N/A

**Comment:**

12. If the program conducts religious activities as part of its programs or services do they do the following:

12a Provide services to everyone regardless of religion or belief?

Yes	No	N/A

12b Ensure it doesn't use Federal funds to conduct religious activities such as prayer, religious instructions, or proselytization and that these activities are kept separate in time and place from federally funded activities?

Yes	No	N/A

12c Ensure that the participation in religious activities is voluntary for participants of the federally funded program?

Yes	No	N/A



13. Explain how all funded agencies/staff are ensuring that they are in compliance with the grant condition of prohibiting discrimination under the reauthorization of VAWA 2013. The grant condition is as follows:

“No person in the United States shall, on the basis of **actual or perceived** race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, or activity funded in whole or in part with funds made available under STOP VAWA, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”

## Part 5: Financial

1. Are vouchers, invoices, time sheets, and supporting documents appropriately canceled (stapled/perforated) to prevent duplicate reimbursement requests?

Yes	No	N/A

**Method of control:**

2. Does the sub-grantee separate VAWA funds from other sources of funds?

Yes	No	N/A

**Describe:**

- 2a. Does the program have written policies and procedures outlined for the fiscal management of grants?

Attach to report

- 2b. Are all bank accounts reconciled upon receipt of statements?

Who performs this duty?

Is this person different than the person that prepares the checks?



- 2c. Are financial statements (at least balance sheet and income statement) prepared for the Board's or governing board (city council or County Commission) review? Is the Board able to compare actual expenditures with the budgeted expenditures?
- 2d. Are financial records adequately safeguarded (locked office/drawer/file cabinet or password protected if kept on computer)?
- 2e. Are checks and cash income deposited in full?
- 2f. Does someone other than the person recording and endorsing checks, prepare and make deposits?
- 2g. Does the program maintain a list of authorized check signers?

3. Has the sub-grantee expended \$750,000 or more in Federal awards during the fiscal year in which they were awarded?

Yes	No	N/A

- 3a. If yes, has the program complied with the audit requirements set from in the OMB Uniform Guidelines to complete an audit?

**Describe:**

- 3b. Have copies been provided to DJCS as required?

4. Are there any outstanding audit issues?

Yes	No	N/A

- 4a. If yes, have the outstanding audit issues been resolved satisfactorily And promptly as required by Part 200 of the OMB Uniform Guidelines, and/or address other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards?

**Describe:**

- 4b. If not required to submit an audit has a financial report been submitted to DJCS with Board approval?

5. Are purchases, cash advances, payrolls, travel expenses, etc., approved by authorized personnel?

Yes	No	N/A

**Who/Title:**

6. Does the sub-grantee charge client fees for services?

Yes	No	N/A

7. Has VAWA funds been used to print program literature such as program brochures, posters, etc.?

Yes	No	N/A



7a Was the VAWA grant number, USDOJ-OVC, and DJCS listed on the brochure?

Yes	No	N/A

7b Was a copy of the printed program literature submitted to DJCS for Pre-approval prior to the printing of said materials?

Yes	No	N/A

8. If the sub-grantee has multiple agencies/budgets under the sub-grant have all funded agencies been reimbursed within 30 days after receiving reimbursement from DJCS/Auditor's Office? (Review cancelled checks showing reimbursement)

9. If a credit card is used for purchases are there written control procedures in place for the following:  
Purchases approved by proper authorizing person? Who/Title:  
Receipt or invoice of purchase given to finance person to attach to credit card prior to payment?  
How are missing receipts for purchases handled?

## Part 6: Personnel

1. Are there personnel records on file for each of the VAWA funded staff?

Yes	No	N/A

1a. Where are these files kept?  
**Describe:**  
**Victim Services:**  
**Cultural Specific Services:**  
**Law Enforcement:**  
**Prosecution:**

1b. Does all the VAWA funded staff have employee appraisals or evaluations? **Attach blank evaluation form**  
**Victim Services:**  
**Cultural Specific Services:**  
**Law Enforcement:**  
**Prosecution:**

1c. Are evaluations completed annually for all funded agency's staff?

Yes	No	N/a



2. Are grantee personnel being paid in accordance with the salary approved in the application? 

Yes	No	N/A
3. Are all authorized staff positions filled? 

Yes	No	N/A

  
**If no,**  
**Why:**  
**When to be hired:**  
**Estimated Slippage:** \$ \_\_\_\_\_
4. Did the hiring of any of these positions require a backfilling of a position? 

Yes	No	N/A
- 4a. If so, who backfilled the position and what was the hiring date?  
**Comment:**
5. Are daily time and attendance records for personnel assigned to the project maintained and signed by both the employee and supervisor? 

Yes	No	N/A
6. Are receipts kept as proof of payment (check stubs, payroll Registers, etc.) by employee and supervisor? 

Yes	No	N/A
7. Does the grantee comply with Minimum wage and Maximum hours provisions of the Fair Labor and Standards Act? 

Yes	No	N/A
8. Does the Project have a written hiring, firing and grievance procedure? 

Yes	No	N/A
9. Is staff aware of the hiring, firing and grievance process?  
**Describe:**

Yes	No	N/A
10. Is an I-9 (Immigration and Naturalization Service Employment Eligibility Form) on file for each grant employee?
11. Is there a written policy for staff to have access to board of directors/county commissions/city council either for personnel issues or other issues?  
How is that policy communicated to staff?

## Part 7: Professional and Contractual Services

1. Are contract or consultant services included in the grant award? 

Yes	No	N/A



2. Is there a formal written contract on file outlining the specific work to be performed by the consultant?

Yes	No	N/A

3. Has a copy of the formal written contract been submitted to DJCS for written approval **prior** to execution of same?

Yes	No	N/A

4. Does the statement of work to be performed agree with the grant award?

Yes	No	N/A

## Part 8: Travel

1. Are travel expenses included in the grant award?

Yes	No	N/A

2. Are expenditures for travel adequately documented with vouchers?

Yes	No	N/A

3. Are travel expenditures in compliance with those outlined in the VAWA Program Administrative Manual?

Yes	No	N/A

## Part 9: Training

1. Are training expenses for staff included in the grant award?

Yes	No	N/A

2. If yes, list the training attended funded by VAWA; also list any new procedures/practices been implemented as a result of the training.

**Describe:**

3. Are expenses to host a training event included in the Grant award?

Yes	No	N/A

- 3a If yes, was agenda topics and speaker bios submitted to and approved by DJCS prior to training?

Yes	No	N/A

- 3b Did the project review the DOJ Conference Training Requirements and Comply with these requirements?

Yes	No	N/A

4. Have the VAWA funded staff completed the 8 hour minimum training requirement and submitted a certificate of attendance to DJCS?



5. What does the project consider the greatest training need(s) for its VAWA funded staff?

**Victim Services:**

**Law Enforcement:**

**Prosecution:**

**Cultural Specific Organization:**

**Faith-based Organization:**

**Other:**

5a. How does the agency identify training needs of their staff? Once identified, what resources does the agency utilize to ensure the appropriate trainings are utilized?

5b. Is the agency and staff aware of how to request additional training and/or technical assistance from the West Virginia Division of Justice & Community Services?

6. What does the project consider the greatest training need(s) for the community it serves?

## Part 10: General Equipment

1. Has computer, laptop and/or equipment been purchased with VAWA Funds in the past three years?

Yes	No	N/A

2. If yes, are the items purchased marked "Purchased with funds provided by the WV Division of Justice & Community Services?"

**(List all computer/equipment with ID numbers):**



3. Does computer and equipment purchased meet specifications stated in grant application?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
4. If a computer has been purchased, has the project submitted a Computer Listing Form to DJCS?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
5. If yes, how is the computer, laptop and equipment utilized for VAWA and how is security maintained?  
**Describe:**
6. What system does the grantee utilize to ensure grant funded computers and/or equipment is properly controlled, preserved, used, maintained, disposed of and/or returned to DJCS?  
**Describe:**
7. If the program has a computer network system or access to the internet, are there network blocks and/or a policy for viewing, downloading and exchanging of pornography? (this does not refer to investigations or prosecutions)

## Part 11: Volunteers

1. Is the program utilizing volunteers for the VAWA funded Project?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
2. How many volunteers are donating time to this project?  
**Number of volunteers:** \_\_\_\_\_
3. Is there a method of logging volunteer hours?  
**Method used:**
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
4. If volunteer hours are used as in-kind match, is the agency meeting match requirement?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
5. If the project is utilizing volunteers for match, are the volunteer activities in compliance with grant approved activities and allowable under the grant?

## Part 12: Underserved Populations

1. Does the project currently serve underserved populations?
- | Yes | No | N/A |
|-----|----|-----|
|     |    |     |
2. What is your identified underserved population(s)?  
**Describe:**



3. What efforts have been made to reach underserved populations **by the STOP Team?**  
**Describe:**

4. Please describe some of the services that victims needed but you could not provide within your community. What were the challenges that prevented you from providing those services?  
**Describe:**

### Part 13: Crime Victims Compensation

1. Is the program and funded staff aware it is a federal requirement to Inform and assist in completing and filing Crime Victim Compensation Forms/claims as a condition in receiving VOCA funds?

Yes	No	N/A

- 1a. Does the project assist victims in informing, completing and filing Victim Compensation claims?

Yes	No	N/A

2. Of the following, what steps does the project take in assisting victims with Crime Victim Compensation claims:

- ☐ Notifying crime victims about the Crime Victims Compensation Fund  
☐ Assisting victims with Crime Victims Compensation Application Forms  
☐ Assistance with Obtaining Necessary Documentation  
☐ Checking on Crime Victims Claim Status

If the answer to question 1 is No, **please explain** why the project is not providing this service:

### Part 14: Project Coordination

1. Is there project coordination with:

<input type="checkbox"/>	Prosecution
--------------------------	-------------

<input type="checkbox"/>	Law Enforcement
--------------------------	-----------------

<input type="checkbox"/>	Victim Services
--------------------------	-----------------

<input type="checkbox"/>	Linguistic/Cultural Specific Organization
--------------------------	---

<input type="checkbox"/>	Faith-based Organization
--------------------------	--------------------------

<input type="checkbox"/>	Other
--------------------------	-------



2. Explain extent of coordination as it pertains to improving the system's response and serving VAWA victims:  
**Victim Services:**  
**Law Enforcement:**  
**Prosecution:**  
**Cultural Specific Organization:**  
**Faith-based Organization:**  
**Other:**
3. Explain how the STOP Team utilizes, evaluates the County-specific VAWA Protocol and if it has been reviewed and updated:  
Has a revised copy been provided to DJCS?
4. Challenges of the Project:

### **Certification:**

I certify that all information presented is correct. That the subgrantee, except where noted, is in compliance with the provisions of the STOP Violence Against Women Program and all applicable federal laws, regulations, and guidelines.

---

Project Director Signature

Date

#### Attachment Check List:

- ☐ Client/Program Evaluation Blank Form
- ☐ Confidentiality Form and Policy
- ☐ Blank Evaluation Forms for all funded staff
- ☐ Policy for notifying clients/staff on how to file complaints alleging discrimination
- ☐ SAM Registration with expiration date

Please mail this completed and signed report with attachments to:

Sarah J. Brown

West Virginia Division of Justice and Community Services

1124 Smith Street, Suite 3100

Charleston, West Virginia 25301-1323

For questions call or e-mail Sarah Brown at:

Phone: 304-558-8814, extension 53337

E-mail: Sarah.J.Brown@wv.gov



# **Appendix O**

## **VAWA Confidentiality Requirements**



# Confidentiality After VAWA 2005

This presentation was an interpretation offered by Rob Valente and Cindy Southworth of NNEDV.

Ultimately the statute will be interpreted and implemented by relevant federal agencies—they will have the official work on the meaning of what's in VAWA 2005.

## Confidentiality in VAWA 2005

- ▣ Confidentiality only applies to the VAWA grant programs – a global condition (not law)
- ▣ The confidentiality condition applies to all four crimes: domestic violence, dating violence, sexual assault, and stalking

## New Grant Condition: Confidentiality

- ▣ Protects safety of adult, youth and child victims and their families
- ▣ Requires grantees and subgrantees to provide confidentiality protections
- ▣ Applies to all entities receiving grant funds, including States receiving STOP funding, and Tribal and Territorial grantees

## New Grant Condition: Nondisclosure of Personally Identifying Information

- ▣ No personally identifying information “*collected in connection with services requested, utilized, or denied*” to be revealed
- ▣ **UNLESS**
- ▣ “*informed, written, reasonably time-limited consent of the person*” is obtained
- ▣ (or consent if guardian for minors and person lacking capacity to provide consent)
- ▣ **CONSENT MAY NOT BE GIVEN BY AN ABUSER**

## “Personally Identifying Information”

- ▣ “*information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including . . .*”
- ▣ Name or address
- ▣ Contact information (postal or e-mail, internet protocol address, telephone, or facsimile)
- ▣ Social Security number or date of birth
- ▣ Racial, ethnic or religious identity
- ▣ Any other combined information that “*would serve to identify an individual*”

## New Grant Condition: When Release of Information is Compelled

- ▣ Statutory mandates may supersede this condition (e.g., mandatory child abuse reporting laws)
- ▣ Court orders may supersede this condition (e.g., subpoenas)
- ▣ If such release of information is compelled, grantees/subgrantees must:
  - “*make reasonable attempts to provide notice to victims affected by the disclosure. . .*”
  - “*take steps necessary to protect the privacy and safety of persons affected by the release. . .*”



## New Grant Condition: Confidentiality and Information Sharing

- Grantees and subgrantees may share *“nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements. . .”*
- Grantees and subgrantees may share –
- *“court-generated information and law enforcement generated information contained in secure, governmental registries for protection order enforcement purposes. . .”*
- *“law enforcement and prosecution – generated information necessary for law enforcement and prosecution purposes. . .”*

## New Grant Condition: Approved Activities

- *“. . . grantees and subgrantees may collaborate with and provide information to Federal, State, local tribal, and territorial public officials and agencies to develop and implement policies to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking”*
- Permits working on policy and protocols with public officials to carry out grant-funded work

## Homeless Management Information Systems (HMIS)

*“...the Secretary shall instruct any victim service provider that is a recipient or subgrantee not to disclose for purposes of a Homeless Management Information System personally identifying information about any client.”*

- In VAWA Section 605, Congress has amended the McKinney-Vento Homeless Assistance Program to protect personally identifying information of victims in Homeless Management Information Systems (HMIS).
- Domestic Violence Programs shall not provide identifying information about victims. This law change prohibits local victim service programs from providing personally identifying information about victims.

*“The Secretary may, after public notice and comment, require or ask such recipients and subgrantees to disclose for purposes of a Homeless Management Information non-personally identifying data that has been de-identified, encrypted, or otherwise encoded.”*

- **New Rule Making.** If HUD wants to mandate that victim services programs provide *non-identifying* client level information, HUD must first create a new public notice and comment period.
- **Non-Identifying Data.** After notice and comment, HUD may request that victim service providers enter into HMIS non-identifying information such as aggregate totals, or other demographics that do not identify a victim. Since it is possible to identify many victims in rural states and small communities by nothing more than ethnicity or age + zip code, the information that victim service providers can share must be carefully scrutinized and limited. In addition, non-personally identifying information must be further protected by being “de-identified, encrypted, or otherwise encoded.”

*“Nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this paragraph for victims of domestic violence, dating violence, sexual assault, or stalking.”*



- **Stronger Confidentiality Laws.** Over 30 states have advocate confidentiality laws that prevent local programs from disclosing any identifying information about victims, encrypted or otherwise, and if those protections are stronger than the Section 605 protection, the stronger protection will prevail.
- **VAWA has strengthened the federal confidentiality laws for VAWA and FVSPA funded programs,** which further prohibits the sharing of any identifying victim information.

Which of these VAWA Provisions will apply to my program?

- **Section 605 amends the McKinney-Vento Homeless Assistance Act** to prohibit all victim service providers from entering personally-identifying information into an HMIS database. Consistent with this federal law, victim services providers should not be providing personal, identifying information about victims, nor should they be punished by having their funds withheld or application incentives removed for complying with this law or State law.
- **The Confidentiality Provisions in Section 3 apply to programs funded by the Violence Against Women Act or the Family Violence Prevention and Services Act (FVPSA).** Many local domestic violence programs receive VAWA and FVPSA funding through their state VAWA and FVPSA Administrators.

### **In VAWA section 605, who are “victim service providers”?**

Victim service providers include nonprofit organizations whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking, such as rape crisis centers, battered women’s shelters, and domestic violence transition housing programs.

This also includes faith-based programs and homeless shelters which have specific victim services programs or umbrella organizations that have a specific victim services programs as part of their organization. In those cases, confidentiality protections would only extend to the specific program in question, unless the larger organization receives VAWA or FVPSA funding and falls under the Section 3 protection.

### **How can we help protect victims who use other services such as homeless shelters?**

Victims are not automatically exempt from having their information entered into HMIS when they use other HUD-funded services. It is critical that advocates educate victims about their right to decline any information about them being entered into an HMIS system and also educate other HUD funded agencies to provide full notice and consent (not “inferred consent,” a concept used by some HMIS programs). All clients should have the opportunity to decline any or all electronic HMIS entry – whether the information is “scrambled,” “hidden,” or “open.”

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“The Violence Against women and Department of Justice Authorization Act of 2005”  
Passed by Congress as H.R. 3402 on December 17, 2005, signed into law by President on January 5, 2006  
Now Public Law 109-162



# **Appendix P**

## **Travel Per Diem Rates & Requirements**

<http://www.gsa.gov>



# **Appendix Q**

## **Definitions**



The following STOP VAWA related definitions have been revised, effective with the VAWA Reauthorization Act of 2005:

1. **Violence Against Women Crimes** - includes dating violence, domestic violence, sexual assault and stalking crimes.
2. **Linguistically and Culturally Specific Services** – means community-based services that offer **FULL linguistic access and culturally specific services and resources**, including outreach, collaboration, and support mechanisms on specific racial and ethnic groups/communities. The term also relates to the community-based organizations and describes the kinds of services such groups would offer to overcome obstacles to access to more traditional services.

This also means that mainstream programs that have a goal of serving underserved populations must ensure that they offer **full linguistic access and culturally specific services but are not eligible for Culturally Specific Funds**. *For example, if a program has translated a brochure, then it should be able to provide all other services in that same language.*

3. **Cultural Competency** - refers to an ability to interact effectively with people of different cultures. Cultural competence comprises four components: (a) Awareness of one's own cultural worldview, (b) Attitude towards cultural differences, (c) Knowledge of different cultural practices and worldviews, and (d) cross-cultural Skills. Developing cultural competence results in an ability to understand, communicate with, and effectively interact with people across cultures.
4. **Personal Identifying Information** - The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including but not limited to —
  - (A) a first and last name;
  - (B) a home or other physical address;
  - (C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
  - (D) a social security number; and
  - (E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (A) through (D), would serve to identify any individual.



5. **Rural Area or Rural Community**.—The term means:
- (A) any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget; or
  - (B) any area or community, respectively, that is:
    - (i) within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area; and
    - (ii) located in a rural census tract.
6. **Underserved Populations**. — refers to individuals or communities who are subject to various barriers that deny or limit access to quality advocacy and services. Includes populations underserved because of geographic location, underserved racial, gender identity, religion, and ethnic populations, and/or populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age). Other examples: religious/cultural, illness/disease, sexual orientation, and education/literacy.
7. **Victim Services or Victim Service Provider**.—The term ‘victim services’ or ‘victim service provider’ means a nonprofit, nongovernmental organization, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, State and Tribal coalitions, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.
8. **Victim Advocate**.— means a person, whether paid or serving as a volunteer, who advocates and provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a victim services program.
9. **Victim Assistant**.— means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a court or a law enforcement or prosecution agency.
10. **Youth** - means teen and young adult (11 to 24 years of age) victims of domestic violence, dating violence, sexual assault, or stalking.
13. **Elder Abuse** — means any action against a person who is 50 years of age or older that constitutes the willful



- (A) Infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or
- (B) Deprivation by a person, including a caregiver, of foods or services with intent to cause physical harm, mental anguish, or mental illness.
14. **Victim Centered Approach** - A systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner. A victim centered approach seeks to minimize re-traumatization associated with the criminal justice process by providing support to the victim, empowering the victim/survivor and providing them the opportunity to play a role in seeing their offender brought to justice. In a victim centered approach, the victim's wishes, safety and wellbeing take priority.
15. **State-wide Project:** is a project operated by either a state agency or a State Coalition with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking; and provides training, services, data collection and meets one or more of the VAWA purpose areas.
16. **Population Specific Organization and Population Specific Services:** Is an organization or services which serves a specific population such as Transgender Males. Be aware these programs are still required to provide services to all victims regardless if victim presents and wishes to avail themselves of services.