

**GOVERNOR'S OFFICE of CRIME CONTROL & PREVENTION
FY 2016 Services*Training*Officers*Prosecutors (STOP)
Violence Against Women Formula Grant Program
(STOP VAWA Program)**

**Notice of Funding Availability
Application Guidance Kit**



**Online Submission Deadline: May 17, 2016, 3 pm
Hardcopy Submission Deadline: May 24, 2016, 3 pm**

**Funded through:
Department of Justice,
Office on Violence Against Women (CFDA# 16.588)**

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Larry Hogan, Jr., Governor
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ELIGIBILITY

State Government Agencies, State and Local Courts, Local Government Agencies Non-Profit, Non-Governmental Victim Services Programs including Faith-Based and Community Organizations State Domestic Violence & Sexual Assault Coalitions are eligible to submit two applications for the STOP VAWA Program.

IMPORTANT NOTES

Applicants are required to apply for grant funding through the Governor's Office of Crime Control & Prevention online application process located on the website at <https://grants.goccp.maryland.gov>. Additionally, all applicants **MUST** provide proof that they have a valid federal **DUNS** number and be **currently registered** with www.SAM.gov. A screen shot from SAM.GOV reflecting this information is sufficient.

Getting Started

Thank you for applying for the **Services*Training*Officers*Prosecutors (STOP) Violence Against Women Formula Grant Program** from the **Governor's Office of Crime Control & Prevention**. The primary purpose of the Services*Training*Officers*Prosecutors Violence Against Women Formula Grant Program is to support a multifaceted approach to responding to violence against women through implementation of grant programs authorized by the Violence Against Women's Act. By forging partnerships among police, prosecutors, judges, victim advocates, health care providers, faith leaders and others, the Governor's Office of Crime Control & Prevention grants help provide victims with the protection and services they need to pursue safe and healthy lives, while improving communities' capacity to hold offenders accountable for their crimes.

I hope our office becomes a valuable resource for your organization as we strive to deliver our services in a customer friendly fashion. If you need application assistance, please contact:

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STOP Violence Against Women Formula Grant Program Manager
410.821.2850
Sun.Jang@maryland.gov

Justice Schisler
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The Governor's Office of Crime Control & Prevention's success is measured by sub-recipient success. It is critical that we hear from you, our customers. To share your ideas of how the Governor's Office of Crime Control & Prevention can serve you better, email us at dinfo_goccp@maryland.gov

Governor's Office of Crime Control & Prevention Mission:

The Governor's Office of Crime Control & Prevention is Maryland's one stop shop for resources to improve public safety. The Governor's Office of Crime Control & Prevention exists to educate, connect, and empower Maryland's citizens and public safety entities through innovative funding, strategic planning, crime data analysis, best practices research, and results-oriented customer service.

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I. TRAINING / TECHNICAL ASSISTANCE (TA)

To help applicants prepare and submit applications that reflect the Governor's Office of Crime Control & Prevention's established guidelines and procedures, training is provided through training videos posted on the Governor's Office of Crime Control & Prevention website. These may be accessed through the following web URL:

<http://www.goccp.maryland.gov/gms-training/>

Please review the training videos prior to working on your application (system guidelines, fiscal review and tips, civil rights requirements, and those specific to the program funding source).

II. INTRODUCTION/SCOPE

On January 5, 2006, the Violence Against Women Act was reauthorized and amended the STOP VAWA Program (CFDA# 16.588). The program allocates 25% to law enforcement, 25% to prosecution, 30% to nonprofit, non-governmental victim services, 15% at the State's discretion, and 5% to courts. This formula is a statutory requirement. Furthermore, changes to the Violence Against Women Act specifically require the State to recognize and meaningfully respond to the needs of underserved populations. The Governor's Office of Crime Control & Prevention must ensure that monies are set aside and distributed equitably to fund linguistically and culturally specific services populations. Per the Violence Against Women Act 2005 Reauthorization changes, linguistically and culturally specific community-based organizations must receive an allotment of 10% of the victim service allocation.

Finally, under the Violence Against Women Act 2013, 20% of the total funds allocated across two or more allocations (excluding discretionary) must meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.

All funding is contingent upon the Governor's Office of Crime Control & Prevention receiving the specified grant funds from the Office on Violence Against Women. As of the posting of this Notice of Funding Availability, the Office on Violence Against Women had not released the FY 17 allocations.

III. BACKGROUND

By statute, the Services*Training*Officers*Prosecutors Violence Against Women Formula Grant Program supports communities in their efforts 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.

IV. ELIGIBILITY CRITERIA

The following entities in Maryland are eligible to submit no more than **two (2)** applications for Violence Against Women Act Funding:

- State Government Agencies
- State and Local Courts
- Local Government Agencies
- Non-Profit, Non-Governmental Victim Services Programs including Faith-Based and Community Organizations
- State Domestic Violence & Sexual Assault Coalitions

* Again this year, the Governor's Office of Crime Control & Prevention has placed funding limitations on "continuation" projects. Current STOP VAWA Program sub-recipients who apply to continue a project currently funded through STOP VAWA Program, may not apply for more than the amount awarded during FY 2015. To be clear, funding requests for projects that are similar in scope or nature to the current project may not exceed the FY 2015 award amount. It is important that applicants review budgets and requests carefully. Applications that are submitted in excess of the previous year's award amount will be flagged prior to review and may result in receipt of less funding than awarded in FY 2015. In addition, applications for "continuation" projects, must detail success of existing project and status of existing goals, objectives, and performance measures.

V. APPLICATION PROCESS

Applicants are required to apply for grant funding through the Governor's Office of Crime Control & Prevention's web-based application process, which may be accessed through the homepage (www.goccp.maryland.gov) by clicking on **GRANTS MANAGEMENT SYSTEM**, or going directly to the login screen using the web URL: <https://grants.goccp.maryland.gov>.

In order to use the Governor's Office of Crime Control & Prevention web-based application you must have a User ID.

If you have *not* previously applied through the web, go to the following web URL to obtain instructions and the information required to obtain a User ID and password:
<http://www.goccp.maryland.gov/grants/access-to-gms.php>

The last day to request a User ID is 5/14/2016. If you have previously applied through the web, use your same User ID and password.

If you have previously applied to the Governor's Office of Crime Control & Prevention, but *do not have your User ID*, or are having *technical issues with the system*, contact the Helpdesk via email at support@goccp.freshdesk.com for assistance.

If you need assistance completing the program specific information required in the online application, please contact Sun Jang at 410-851-2850 or Sun.Jang@maryland.gov

In addition to the online submission, you must submit one (1) hard copy original (generated by the online system and bearing original signatures in blue ink for the certifications and anti-lobbying documents) **and one (1) additional hardcopy of the application.**

The online application must be submitted no later than 3:00 PM on 5/17/2016. All of the aforementioned documents must be submitted to the Governor's Office of Crime Control & Prevention no later than 3:00 PM on 5/24/2016.

Email/Fax submissions will not be accepted. Please do not use binders or folders; all hard copies must be generated by the online system.

VI. APPLICATION REQUIREMENTS (PROGRAMMATIC)

- must meet at least one of the Statutory Program Purpose Areas (see Section X),
- are encouraged to shape and develop their FY 2016 strategies to support at least one Federal Program Priority and at least one State Priority (see Section X),
- should create strategies that are sensitive to the immediate and long-term needs and safety of victims; hold offenders accountable for their crimes; encompass funding criteria; display partnerships with other agencies; look beyond traditional resources; demonstrate sustainability plans and the ability to leverage funding within their own jurisdictions,

- are **required** (applicable only to prosecution, law enforcement, and courts programs) to include documented consultation with State or local victim service programs during the course of developing their grant applications and ensure that proposed services, 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 [43 U.S.C 3796gg – (d) (4)]. (See sample letter, Appendix B), and
- are **required** (applicable only to prosecution and law enforcement agencies) to certify that they do 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, reimbursement for charges incurred on account of such an exam, or both. (See sample letter, Appendix B).
- are **required** (applicable to victim service agencies) to include documentation stating they meet the terms with regard to nondisclosure of confidential or private information and to document their compliance. (See sample letter, Appendix C).
- are **required** (applicable to prosecution agencies) to certify that the agency is in compliance with the statutory requirements. (See sample letter, Appendix D).

NOTE: STOP VAWA Program funds may be used to pay for forensic medical exams performed by trained examiners for victims of sexual assault; except that such funds may not be used to pay for forensic medical exams if victims of sexual assault are required to seek reimbursement for such exams from their insurance carriers.

VII. FAITH-BASED/COMMUNITY ORGANIZATIONS

Faith-based organizations applying STOP VAWA Program funds do not have to lose or modify their religious identity (i.e., removing religious symbols) to be considered an eligible applicant. However, STOP VAWA Program 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 grant funds; such religious activity must be separate (in time and/or place) from the grant funded program. Further, participation in such religious activity by individuals receiving services must be voluntary.

VIII. 501(C)(3)

To be eligible for funding under the Office on Violence Against Women funding, nonprofit organizations must have documentation of their IRS Section 501 (c)(3) status. An organization must provide proof of this status by submitting a copy of their status letter from the IRS with the application. The requirements for obtaining 501 (c)(3) status can be found on the Internal Revenue Service website (www.irs.gov); search for Publication 557, "Tax-Exempt Status for Your Organization." If the IRS letter is not available, a letter from your organization's authorized official listing officers, bylaws, and/or articles is permissible until such time a copy can be obtained from the IRS.

IX. IMPORTANT DATES

- | | |
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| ➤ Program Specific Training Video Posted by | May 2016 |
| ➤ Deadline to Request a User ID | May 14, 2016 |
| ➤ Deadline to Submit an Online Application | May 17, 2016, 3:00 pm |
| ➤ Hard Copy of Application Due (plus 1 copy) <i>Fax/Email will not be accepted as hardcopy.</i> | May 24, 2016, 3:00 pm |
| ➤ Award Documents/Denial Letters Mailed | *September 2016 |
| ➤ Sub-award Start Date | October 01, 2016 |
| ➤ Sub-award End Date | September 30, 2017 |

*It is anticipated that all applicants will be notified of the outcome of their application(s) by September 30th.

X. FEDERAL PROGRAM PURPOSE AREAS

This Notice of Funding Availability will only give consideration to programs relative to the following:

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 domestic violence, dating violence, sexual assault, and stalking, 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 domestic violence, dating violence, sexual assault, and stalking.
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 domestic violence, dating violence, sexual assault, and stalking, 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 domestic violence, dating violence, sexual assault, and stalking.
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 victim services and legal assistance programs, including domestic violence, dating violence, sexual assault, and stalking 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 domestic violence, dating violence, sexual assault, and stalking.
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 domestic violence, dating violence, sexual assault, and stalking.
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, or sexual assault, or stalking, 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 subgrantee receiving funds under this purpose area will receive the required annual training. States are also responsible for ensuring that subgrantees submit their two-year report to the Department. States and territories **must** notify and provide OVW with a list of subgrantee 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.

A. Federal Program Priorities

In shaping strategies for FY 2016, applicants are encouraged to develop and support projects that:

- Support and retain core services for victims of sexual and domestic violence, particularly support for rape crisis centers 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 Lesbian, Gay, Bisexual, Transgender, Questioning 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; and
- Strengthen and revitalize coordinated community response and multidisciplinary teams, prioritizing those that meaningfully involve organizations and programs that focus on marginalized communities.

B. State Program Priorities

In shaping strategies for STOP VAWA funding, programs are encouraged to develop projects that support at least one of the following priorities as identified by the Strategic Planning Team:

Law Enforcement:

- Providing specialized training/retraining in domestic violence, sexual assault, stalking, dating violence, and strangulation
- Identifying the predominant aggressor and decreasing dual arrest

- Strengthening and expanding the Lethality Assessment Program and Domestic Violence Fatality Review Teams
- Enhancing and expanding the prioritization of warrants with Lethality Assessment Program and sex trafficking data collection information technology
- Providing mandatory training on certification for the U Visa and T Visa
- Providing mandatory coordination with the Maryland Coalition Against Sexual Assault, the Maryland Network Against Domestic Violence, or other approved agencies for training
- Providing domestic violence & sexual assault specialized units and/or advocate positions (such as, Jessica Gonzales Victim Assistants, bilingual officers, sexual assault crime investigators, and domestic violence coordinators/investigators, etc.)
- Providing Trauma Informed Response (including services, policies, training, and certification)
- Maintaining participation in Sexual Assault Response Teams

Priority for funding: will be given to law enforcement agencies that equally address sexual assault and domestic violence. In developing projects, law enforcement should emphasize increased and/or enhanced coordination with victim advocates. Applicants are also encouraged to promote the adaptation and/or implementation of training, especially in the areas of protective orders, Maryland's firearm and sex offender laws, Lethality Assessment Program, gaining a greater understanding around gender issues, increasing effectiveness when working with trauma victims through the use of trauma best practices, cultural competency, immigration laws, and sensitivity in working with marginalized communities. Training topics may include, but are not limited to: strangulation indicators, dual arrest, determining the primary aggressor, understanding the dynamics of domestic violence, traumatic brain injury, sex trafficking, acquaintance rape, networking/increasing collaboration and communication with advocates, pro-prosecution, dynamics of domestic violence: victimization syndrome and victim sensitivity, evidence collection, lethality assessment, investigation/report, writing/post circuit court contact, updates on laws, internal accountability, tracking offenders, and cultural sensitivity/language barriers (Asian, Hispanic, et al.). Collaborating with other agencies such as Maryland Coalition Against Sexual Assault, Maryland Network Against Domestic Violence, and local victim service providers is strongly encouraged to develop and foster improved communication, coordination, and training for personnel.

The State planning team identified a trend of social media/internet domestic violence crimes such as stalking and harassment. In addition, the team supported a statewide replica of Baltimore City's model to prioritize serving warrants to highly dangerous abusers/perpetrators.

Prosecution:

- Providing mandatory training on certification for the U Visa and T Visa
- Providing specialized and expanded culturally competent & bilingual staffing
- Providing specialized and expanded culturally competent services
- Maintaining participation in Sexual Assault Response Teams
- Providing training in domestic violence, sexual assault, strangulation, stalking and prosecutorial best practices
- Providing Trauma Informed Response (including services, policies, training, and certification)

Priority for funding: will be given to State's Attorneys' offices that equally address domestic violence and sexual assault. The State planning team confirmed their support for specialized staffing to include domestic violence and sexual assault units, domestic violence expert witnesses, interpreters, victim witness assistants, dedicated domestic violence and sexual assault prosecutors, vertical prosecution staff, victim/witness paralegals, and bilingual advocates. They identified mandatory training for prosecutors on certification for the U Visa and T Visa; and specialized/expanded service to include, but not be limited to, investigators to complete immediate follow-up and provide enhanced services (i.e., personal service of court summons) to underserved victims including victims with special needs, disabilities, non-English speaking, etc.

The State planning team emphasized the increase in prosecution of strangulation and stalking cases. Additionally, the team identified training for domestically related crimes from organizations such as the Maryland State's Attorneys' Association and the National Center for the Prosecution of Violence Against Women. The National Center for the Prosecution of Violence Against Women exists to serve prosecutors, members of the prosecution team, and other allied professionals as they strive to deliver justice to all survivors of domestic violence, dating violence, sexual violence, and stalking; and to hold criminals accountable. Finally, stakeholders identified continuous training for judges, court commissioners, prosecutors, and law enforcement on topics including: strangulation indicators, understanding/networking with victim witness assistants, cross training, lethality assessments, interaction/communication with victims (i.e., status of case, progress of case), partnerships with State's Attorneys and prosecutors, case management, policies & protocols, Abuse Intervention Program referrals/victim referrals to follow-up services, Jane Doe reporting, and cultural sensitivity.

Victim Services:

- Maintaining domestic violence & sexual assault core services
- Enhancing culturally sensitive services to include all populations regardless of sexual orientation, gender identity, race, ethnicity, and/or religion (including but not limited to, Lesbian, Gay, Bisexual, Transgender, Questioning, limited English proficiency, multi-ethnic, Latino/Hispanic, Black, immigrant/refugee)
- Offering hospital-based services that ensure immediate crisis services to victims (including referral to community based-programs, Sexual Assault Forensic Examiner and Sexual Assault Nurse Examiner programs)
- Providing long-term support for victims (including housing, transportation and transitional support)
- Ensuring victim confidentiality and privacy
- Providing civil legal representation
- Providing Trauma Informed Response (including services, policies, training, and certification)
- Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, stalking, sex trafficking, and strangulation
- Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault and/or domestic violence
- Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault and/or domestic violence cases; and the appropriate treatment of victims
- Maintaining advocacy-based case management to include community-based advocacy programs, responses, and accompaniment
- Maintaining advocacy-based hospital services that ensure immediate services to victims including referrals to community-based programs inclusive of domestic violence, sexual assault, and/or strangulation programs
- Providing Lethality Assessment Program training in hospitals

Priority for funding: will be given to victim service providers that establish and/or enhance services provided directly to victims of domestic violence, sexual assault, sex trafficking, stalking, strangulation, and dating violence to include services to underserved populations, such as non-English speaking, elderly, and victims with disabilities; and provide culturally competent and bi-lingual victim service staff such as victim advocates, counselors, and/or hotline coordinators.

The State planning team identified the importance of maintaining culturally sensitive victim services. This list includes: receipt and response to hotline calls on a 24-hour basis; short-term safe accommodation for the victim and any minor children; crisis counseling for the victim and family members to alleviate the immediate crisis (directly linked to providing the victim services); information/referral services; mental health/continuing counseling; legal services (i.e., protective order representation/accompaniment, immigration attorneys); medical accompaniment; supportive services for housing; employment; education; Trauma Informed Care; parenting skills; child care; health care; transportation; community education and training to include outreach activities designed to reach unserved and/or underserved victims.

Hospital-based domestic violence programs should include complete wraparound services including screening and referrals. Applicants must demonstrate a strong partnership with the local domestic violence program, which includes immediate advocate contact to provide hospital accompaniment. These programs should not be a replica/duplication of existing services. Hospitals are encouraged to collaborate with local domestic violence programs in submitting their application.

NOTE: The “Victim Services” category is for agencies whose primary responsibility is to serve domestic violence and sexual assault victims/clients. Governmental and for-profit applicants do not qualify under this category and are strongly encouraged to develop a partnership (e.g., Memorandum of Understanding) with local non-profit, non-governmental organizations. (See Appendix E for definition of a victim service provider.)

In addition, as stated previously, the Violence Against Women Act specifically requires the State to recognize and meaningfully respond to the needs of underserved populations and ensure that monies are set aside to fund linguistically and culturally specific services for underserved populations and are distributed equitably among these populations. Hence, per Violence Against Women Act 2005 Reauthorization changes, 10% of the victim service allocation will be distributed to linguistically and culturally specific community-based organizations. (See Appendix E for the definition of culturally specific community-based organizations).

Courts:

- Providing specialized staffing – bilingual and/or multi-lingual court personnel such as court advocates, interpreters, or investigators
- Providing victim access to courts
- Providing central repository/databases that support victim safety and confidentiality such as Victim Information and Notification Everyday Protective Orders
- Providing outreach & education to include judicial and commissioner training
- Providing training for judges, court commissioners, and appropriate staff

Priority for funding: will be given to court entities and/or court-based projects that are in-line with the statewide strategy and that enhance the role of the judiciary and other court personnel in managing offender behavior and securing victim safety through court related projects.

The State planning team identified the need for culturally sensitive staff to aid victims of domestic violence, sexual assault, and stalking to seek and receive access to the courts. To this end, outreach & education should include, but not be limited to, judicial and commissioner training regarding court processes and protocols to increase victim safety, especially when making bail decisions; ensuring accountability; and enabling court commissioners to sign off on the U Visa. Once more, the team expressed the need for comprehensive training for judicial and court personnel; and Victim Information and Notification Everyday Protective Order education (see below).

Victim Information Notification Everyday Protective Order (VPO) Education: VPO is a free, automated information and notification service provided in both English and Spanish, 24 hours a day, seven days a week. VPO notifies victims when a protective order has been served on the respondent as well as provides hearing reminders, docket changes, protective order expiration reminders, and order status. The time immediately after a respondent has been served with a protective order can be a very dangerous time for the petitioner. Knowing when the respondent has been served gives the petitioner time to enact a safety plan to protect her/him. Equally important, it notifies the victim that the respondent knows that if he or she contacts the victim, the victim can immediately contact the police and the respondent will be arrested for violation of the order. Therefore, it is of the utmost importance that victims are notified of their ability to register with VPO.

It is important to note that victims are not automatically registered VPO upon issuance of a protective order. Victims can register for VPO notification by visiting www.registervpo.com or by calling 1-877-846-3420. Advocates are encouraged to help victims register or register for them upon request.

Discretionary:

- Maintaining capacity building for dedicated domestic violence and sexual assault victim services
- Providing specialized training in domestic violence, sexual assault, stalking, and dating violence to include compliance with new laws regarding victims
- Enhancing the Lethality Assessment Program statewide and expanding the use of the Lethality Assessment Program by additional agencies/organizations to promote an effective coordinated community response
- Enhancing and maintaining existing Domestic Violence Fatality Review Teams and establishing Domestic Violence Fatality Review Teams in all remaining jurisdictions (as needed)
- Maintaining core services
- Providing specialized training in domestic violence and sexual assault initiatives
- Coordinating community response in the form of local coordinating councils or development of multidisciplinary teams and direct services
- Providing Trauma Informed Response (including services, policies, training, and certification)

Priority for funding: will be given to statewide domestic violence and sexual assault coalitions, local coordinating councils including Sexual Assault Response Teams and rape crisis centers. Applicants are encouraged to establish and/or enhance projects that aim to build capacity, demonstrate strong partnerships, and develop and/or enhance education, training, and advocacy initiatives that support efforts to combat domestic violence and sexual assault within the State.

Applicants are also encouraged to promote the adaptation and/or implementation of training, especially in the areas of protective orders, sex offender laws, gaining a greater understanding around gender issues, cultural competency, immigration laws, sensitivity in working with marginalized communities, and increasing effectiveness when working with trauma victims through the use of trauma best practices. Specialized training topics may include, but are not limited to: strangulation indicators, dual arrest, determining the primary aggressor, understanding the dynamics of domestic violence, traumatic brain injury, sex trafficking, acquaintance rape, increased collaboration and communication with advocates/networking, pro-prosecution, dynamics of domestic violence: victimization syndrome and victim sensitivity, evidence collection, lethality assessment, investigation/report, writing/post circuit court contact, updates on laws, internal accountability, tracking offenders, and cultural sensitivity/language barriers (Asian, Hispanic, et al.). Collaborating with other agencies such as Maryland Coalition Against Sexual Assault, Maryland Network Against Domestic Violence, and local victim service providers is encouraged to develop and foster improved communication, coordination, and training for personnel.

The State planning team identified the importance of supporting programs that maintain qualified staff and core services such as hotline, crisis response, shelter, and transportation. Also, the team discussed the importance of the Domestic Violence Fatality Review Teams' statewide coordination to ensure continued effective operation including monitoring, providing technical assistance, expanding team participation and case review activities, obtaining recommendations from all operating teams, producing an annual statewide report with findings and recommendations, promoting and monitoring the implementation of the recommendations, and evaluating the team operations.

XI. FUNDING EVALUATION

The Governor's Office of Crime Control & Prevention will assess the worth of each organization's overall project based on the following:

- Problem Statement/Needs Justification
- Project Description
- Description of Goals, Objectives, and Reaching Objectives
- Performance Measures
- Strategy & Timeline
- Organization Management Capabilities/Cooperating Agencies
- Project Evaluation & Sustainability
- Spending Plan

The Governor's Office of Crime Control & Prevention will also assess each jurisdiction's need for funding based on the following criteria:

- Documentation of need
- Number of violent incidents
- Geographic size and location
- Ability to recognize and address the needs of underserved populations
- Demonstrated capacity and effectiveness of existing domestic violence, dating violence, sexual assault, and stalking program services

The STOP VAWA Program is a competitive application process. The Governor's Office of Crime Control & Prevention will conduct a review of each application submitted in accordance with this Notice of Funding Availability.

XII. PROGRAM SPECIFICATIONS

A. Support Services to Children:

STOP VAWA Program funds should be used for projects that serve or focus on adult and youth (age 11-24) women and girls who are victims of domestic violence, dating violence, sexual assault, or stalking. In general, victims served with STOP VAWA Program funds must be adults or youth (see definition of youth on page 40). Under a new purpose area created by Violence Against Women Act 2005, however, STOP VAWA Program funds may also support "complementary new initiatives and emergency services for victims and their families." For example, STOP VAWA Program funds may support services for secondary victims such as children who witness domestic violence.

B. Support Services to Men:

Regardless of the purpose of the Services STOP VAWA Program sub award, STOP VAWA Program sub-recipients must provide services to a male victim in need who is similarly situated to female victims the sub-recipients ordinarily serves and who requests services. Under the anti-discrimination provision of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d(c)(1) and under a new nondiscrimination grant condition from Violence Against Women Act 2013, grantees, including STOP VAWA Program sub-recipients, may not exclude any person from receiving grant-funded services on a number of prohibited grounds, including that person's sex. The Violence Against Women Act 2013 provision further provides that "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.”

Note: In the Violence Against Women Act of 2013, Congress added two new purpose areas that specifically included men, which means that sub-recipients under those purpose areas may have projects that target male victims. The specific purpose areas are purpose area 17 (focusing on programs addressing sexual assault against men, women, and youth in correctional and detention settings) and purpose area 19 (focusing on 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).

C. Incarcerated Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking:

There is now a specific purpose area for “developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.” The services provided, however, may only address the domestic violence, dating violence, sexual assault, or stalking victimization experienced by the incarcerated individual, including both such crimes experienced while incarcerated and crimes experienced at other points in their youth and adult lives. Funds should not be used to provide any other types of services, such as rehabilitative services related to the crime committed by the incarcerated individual. Finally, as is the case with the use of all STOP VAWA Program funds, states must use those funds to supplement state funds, and not to supplant state funds that would otherwise be available for the activities funded.

Note: Although STOP VAWA Program funds may be used to provide victim services as described above, other federal funds do have restrictions on serving incarcerated victims.

D. Legal Services (See Appendix D for sample Legal Assistance for Victims Certification Letter):

A full range of legal services, such as housing, family law, public benefits, and other similar matters can be provided. Any sub-recipient providing legal assistance must certify that:

- 1) any person providing legal assistance with STOP VAWA Program funds
 - 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 such demonstrated expertise and has completed or will complete training in connection with domestic violence, dating violence, stalking, sexual assault, and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;
- 2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be 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, as well as appropriate tribal, state, territorial, and local law enforcement officials;
- 3) any person or organization providing legal assistance through the STOP VAWA Program has informed and will continue to inform state, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate state and local law enforcement officials of their work; and
- 4) the sub-recipient’s organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.

E. Violence Prevention Programs (i.e. media campaigns to educate the general public about violence against women):

In the Violence Against Women Act of 2013, Congress added a new purpose area for “developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking[.]” However, no more than 5 percent of the state’s total STOP VAWA Program award for the year may be used for this purpose.

Note: The goal of prevention is to stop or reduce domestic violence, dating violence, sexual assault, and stalking. By contrast, an outreach initiative is linked to a specific set of services and

the goal is to increase awareness about the services, so that victims know where to go for the services.

F. School Programs:

Programs in schools may be supported to the extent that they fit within one or more of the STOP VAWA Program's statutory program purpose areas. For example, STOP VAWA Program funds could be used to provide support groups that meet at school for dating violence victims or to provide information to students about services available to help victims of dating violence. Please keep in mind, however, that prevention programs are limited to 5 percent of the state's total STOP VAWA Program award for the year.

G. Child Sexual Abuse Victims:

STOP VAWA Grant Program funds can serve sexual assault victims who are age 11 or older. VAWA defines sexual assault as "any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent." The target of the STOP VAWA Program is adult and youth victims. Youth is defined as "a person who is 11 to 24 years old."

H. Victim Safety:

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:

- 1) 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;
- 2) Procedures or policies that compromise the confidentiality of information and privacy of persons receiving Office on Violence Against Women-funded services;
- 3) Offering perpetrators the option of entering pre-trial diversion programs or placing batterers in anger management programs;
- 4) 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;
- 5) Requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- 6) 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
- 7) Supporting policies or engaging in practices that impose restrictive conditions to be met by the victim in order to receive services (e.g., attending counseling, seeking an order of protection)

In addition, applicants should be cognizant of victim confidentiality. In accordance with 42 U.S.C. § 13925(b)(2), applicants receiving Office on Violence Against Women funding, and their sub-grantees, must protect the confidentiality and privacy of persons receiving Office on Violence Against Women-funded services to support victims' safety. Office on Violence Against Women grantees and their sub-grantees are prohibited from disclosing personally identifying information collected in connection with services requested, utilized, or denied through the grantee and their sub-grantee's programs, to any third party database without informed, written, reasonably time-limited, consent of the person, unless compelled by statutory or court mandate. In this case, grantees and sub-grantees must make reasonable attempts to provide notice to victims affected by the disclosure of information. They must also take necessary steps to protect the privacy and safety of the persons affected by the release of the information. Regarding unemancipated minors or persons with disabilities lacking capacity to consent, a parent or guardian may consent to the disclosure; however, if the parent or guardian is the abuser of the minor, the person with disabilities, or the minor's other parent, he or she is prohibited from giving consent to the disclosure.

XIII. FUNDING SPECIFICATIONS

A. Funding Cycle

Commencement of awards funded under the STOP VAWA Program for FY 2016 will begin October 01, 2016 and end on September 30, 2017. Funds are paid on a reimbursable basis.

B. Budget

Budgets must be clear and specific. Budgets must reflect one year of spending and, where applicable, be adjusted to reflect start date and holidays. *The Governor's Office of Crime Control & Prevention reserves the right to reduce budgets.*

The prioritization of line items is required for all applications having multiple line items. Applicant requirements will be taken into consideration should budgets need to be reduced.

The justification sections must contain brief statements (1 to 2 sentences per line item) that explain each line item and their relevance to the project goals and objectives. **Do not state "See Narrative, Goals, or Objectives".**

C. Unallowable Costs

The following services, activities, and costs, although not exhaustive, cannot be supported with STOP VAWA Program funds at the sub-recipient level:

- **Lobbying and Administrative Advocacy**
- **Construction**
- **Fundraising**
- **Purchase of real property**
- **Property Insurance**
- **Physical modifications to buildings, including minor renovations (such as painting or carpeting)**
- **Food/Beverage**
- **Trinkets (items such as hats, mugs, portfolios, t-shirts, coins, gift bags, etc., regardless of whether they include the conference name or Office of Justice Programs/Department of Justice logo) must not be purchased with Department of Justice funds as giveaways for conferences. Basic supplies that are necessary for use during the conference (e.g., folders, name tags) may be purchased.**

The Governor's Office of Crime Control & Prevention reserves the right to make additional budget reductions and adjustments at its discretion.

D. Indirect Cost Rate

Applicants that intend to charge indirect costs through the use of an indirect cost rate must have a Federally-approved indirect cost agreement. Please include a copy of a current, signed Federally-approved indirect cost rate agreement.

Non-federal entities, other than State and local governments that have never received a Federally-approved indirect cost rate, may elect to charge a de minimis rate of 10% of modified total direct costs which may be used indefinitely. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-federal entity chooses to negotiate for a rate.

For guidance on calculating indirect cost please refer to the indirect cost calculator:
<http://www.goccp.maryland.gov/grants/grantee-toolbox.php>.

E. Consultant Rates

The limit for consultant rates is \$650 per day.

F. Food/Meal Expenses

Allowable food expenses include **per diem for travel only and direct food for victims (i.e., food for shelters)**. Grant funds cannot be used to purchase food and/or beverages for any meeting, conference, training or other event.

G. Conference Planning and Expenditure Limitation

There are limitations to costs related to conference planning and expenditures. Information on pertinent laws, regulations, policies, and guidance on conference planning, minimization of costs, and conference cost reporting is accessible at:

<http://www.justice.gov/ovw/grantees>

XIV. DISTRIBUTION OF FUNDS & REPORTING REQUIREMENTS

The Governor's Office of Crime Control & Prevention will distribute awarded funds to sub-recipients on a quarterly reimbursement of expenditures basis in conjunction with the timely submission of corresponding quarterly Fiscal and Programmatic Reports. These reports must be submitted through the Grants Management System and Fiscal Reports must also be submitted via a mailed hard copy. All programmatic electronic reports are due electronically within 15 calendar days of the end of each quarter; financial report hard copies are due electronically and by hard copy within 30 calendar days of the end of each quarter. All reporting activity occurs through the Grant Management System, using the same User ID and password that was used for the application process.

For further Post Award Instructions read your Special Conditions, and go to:

<http://www.goccp.maryland.gov/grants/general-conditions.php>

Electronic Funds Transfer (EFT) – The Governor's Office of Crime Control & Prevention encourages the use of electronic funds transfer (EFT). To obtain the appropriate form, the address to submit the form, and a general overview, including frequently asked questions, refer to the following website:

http://compnet.comp.state.md.us/General_Accounting_Division/Vendors/Electronic_Funds_Transfer/

XV. MATCH

By statute, a sub-award made under the STOP VAWA Program may not cover more than 75% of the total costs of the project/projects funded. Cash or in-kind resources used as match must be directly related to the project goals and objectives, documented, and clearly show the source, amount, and timing of all matching contributions. Additionally, sources of match are restricted to the same uses allowed under the STOP VAWA Program and must be documented in the same manner as STOP VAWA Program (including financial and programmatic reports). Violence Against Women Act 2005, as amended, created a new provision eliminating match in certain circumstances and providing match waivers in other circumstances. Those applicants who wish to apply for a waiver may do so by submitting a separate letter that includes a detailed explanation and/or justification for the requested waiver.

For guidance on calculating match please refer to the match calculator:

<http://www.goccp.maryland.gov/grants/grantee-toolbox.php>.

(See Appendix A for additional details on waivers and another way to calculate match.)

XVI. SUPPLANTING, TRANSPARENCY AND ACCOUNTABILITY

Federal funds must be used to supplement existing state and local funds for program activities and must not replace those funds that have been appropriated for the same purpose. See the Office of Justice Programs Financial Guide (Part II, Chapter 3). There are strict federal laws against the use of federal funds to supplant current funding of an existing program. Jurisdictions must provide assurances and certifications as to non-supplanting and the existence of proper administrative/financial procedures.

A strong emphasis is being placed on accountability and transparency. Award recipients must be prepared to track, report on, and document specific outcomes, benefits, and expenditures attributable to the use of grant funds. Misuse of grant funds may result in a range of penalties to include suspension of current and future funds and civil/criminal penalties.

XVII. COLLABORATIVE REVENUE FORM

The purpose of the Collaborative Revenue Form is for applicants to provide information that will be used in the processing and review of their application. A sample of this form is on the following page and a fillable PDF version can be located in the attachment/attachments to this Notice of Funding Availability.

CHECKLIST

- Collaborative Revenue Form – Must be printed from this Notice of Funding Availability and completed
- Face Sheet – Printed from the online software
- Project Summary/Narrative – Printed from the online software
- Screenshot of DUNS number and SAM.GOV expiration date
- Project Budget – Printed from the online software
- Audit Requirements – Printed from the online software
- Certified Assurances – Printed from the online software and signed
- Certification Lobbying - Drug Free Workplace – Printed from the online software and signed
- Letters of Support/Memorandums of Understanding (Optional)

COLLABORATIVE REVENUE FORM

Date Submitted

Current Grant Award Number:

Project Year:

*****REQUIRED DOCUMENTATION*****

Applicant Organization:

Contact Person:

Title:

Phone:

Fax:

Email:

Jurisdiction:

DUNS Number:

SAM.GOV Expiration Date:

A DUNS number and SAM.GOV registration/expiration date are required of all sub-recipients. If your organization does not have both of these registrations, indicate steps you will be taking to register so that you are compliant by the end of your first reporting quarter:

Funding (Please Exclude Match Funding When Completing Sections Below)

Funding Request:

2015 Award:

2014 Award:

List all partnerships established under a Memorandum of Understanding (name, organization, contact person, phone number and the extent and capacity of collaboration (use a separate sheet if needed):

- 1.
- 2.

List all current and/or pending funding sources (State, Local, Federal, and Private Funds). If your agency is a Domestic Violence (DV) Sexual Assault (SA) Victim Service Provider, provide all funding for your agency. If the agency is a local unit of government and/or provides services beyond DV/SA, provide all funding for the DV/SA department/unit, etc.

| | Funding Amount | Effective Date | End Date |
|----------------------|----------------|----------------|----------|
| State | | | |
| | | | |
| | | | |
| | | | |
| Local | | | |
| Federal | | | |
| | | | |
| | | | |
| | | | |
| Private Funds | | | |
| Other Funds | | | |

XVIII. APPLICATION WEBSITE WORKSHEET

Notice to All Applicants:

The information collected on the grant application form is collected for the purposes of the Governor's Office of Crime Control & Prevention's function under Executive Order 01.01.2005.36. Failure to provide all of this information may result in the denial of your application for funding. The Governor's Office of Crime Control & Prevention is a government entity; upon submission, this application is considered public information. The Governor's Office of Crime Control & Prevention does not sell collected grant information. Under the Maryland Public Information Act (PIA) (MD State Government Code Ann. 10-617 (h)(5)), you may request in writing to review grant award documentation. Please send those requests to the Governor's Office of Crime Control & Prevention, 300 E. Joppa Rd., Suite 1105, Baltimore, MD 21286-3016

A. FACE SHEET TAB INSTRUCTIONS

1. PROJECT TITLE

The project title should be brief, precise, and reflect what is being funded. For example: "Victim Services", "Sexual Assault Services", or "Danger Assessment Advocate."

2. APPLICANT AGENCY

The unit of local government (county, city, town, or township) or State agency that is eligible to apply for grant funds (See Eligible Applicants). Full details about the Applicant Agency (Federal ID, DUNS, etc) may be viewed by clicking the corresponding underlined organization field. If any information needs to be revised, contact support@goccp.freshdesk.com.

If the Government, Township, or Board of Commissioners mandates that the County Executive, Mayor, or Commissioner sign all grant award documents (for all subordinate agencies) then the Government, Township, or Board of Commissioners MUST be the APPLICANT Agency.

DUNS/SAM Registration: Provide your DUNS number and SAM.GOV expiration date at the end of your Narrative. In an appendix, attach proof of your agency's current SAM registration from www.sam.gov. Include a printed screenshot of **just the page that lists your DUNS number and SAM.GOV expiration date**. Please do not include any additional pages (i.e., those containing banking information).

Access to SAM.GOV:

<https://www.sam.gov/portal/public/SAM/>

Access to DUNS (D&B):

<http://fedgov.dnb.com/webform/displayHomePage.do;jsessionid=81407B1F03F2BDB123DD47D19158B75F>

3. AUTHORIZED OFFICIAL

You may view the contact information for either agency's Authorized Official by clicking their underlined name. A popup box will appear after clicking their name. Procedures for revising an agency's authorized official can be obtained by contacting support@goccp.freshdesk.com; or by viewing Condition #18 at:

<http://www.goccp.maryland.gov/grants/general-conditions.php>

4. IMPLEMENTING AGENCY

The name of the entity that is responsible for the operation of the project. Full details about the Implementing Agency (Federal ID, DUNS, etc) may be viewed by clicking the corresponding underlined organization field. Contact support@goccp.freshdesk.com to make any revisions.

5. 'Is service site?' CHECKBOX

Clicking these checkboxes automatically adds the Applicant and/or Implementing Organization to the Service Site tab.

6. PROPOSED START/END DATES

Start and end date are determined by the parameters of the Notice of Funding Availability and are filled in automatically. Projects may not exceed twelve (12) months or commence before the Notice of Funding Availability defined start date.

7. PREPARER INFORMATION

Enter the name of the person completing the application, their phone number and their email address.

8. OFFICERS' TAB INSTRUCTIONS

To add a new officer or new contact to the Grant Management System, contact support@goccp.freshdesk.com.

9. PROJECT DIRECTOR

Select the person who will be responsible for oversight and administration of the project on behalf of the applicant. Selections are limited to implementing/applicant agency personnel in the Grant Management System.

10. FISCAL OFFICER

Select the person who will be responsible for financial reporting and record keeping for the project. You may select any contact currently in the Grant Management System. Use the search windows to search by last name, organization, and/or job title.

11. CIVIL RIGHTS CONTACT

Select the agency's point of contact for handling internal civil rights violation complaints (usually a Human Resources or Personnel Manager). You may select any contact currently in the Grant Management System. Use the search windows to search by last name, organization, and/or job title.

12. SERVICE SITES TAB INSTRUCTIONS

If the service site is either the applicant agency and/or the implementing agency, select the associated "Is service site?" check box/boxes on the application Face Sheet.

Otherwise, provide the site name and full address, **for the location/locations the project is taking place/serving**. If there is more than one location, please enter complete information for each site (up to five). If the project has a statewide or countywide impact, please enter "state-wide," or "county-wide" in the 'Site Name' field and the county served in the 'City' field. Whether an address is provided, or "state-wide" or "county-wide" is entered, the 'CITY' field and nine (9) digit zip-code **must** be provided.

Example:

Site Name: **Anytown Police Department**
Address: **123 Main Street**
Some City, MD 21000-0570

OR if Location is 'County-wide' or 'State-wide', **you must still list a City and 9-digit zip for funding source reporting.**

B. SUMMARY TAB INSTRUCTIONS

The Project Summary should provide a concise summary of your proposal and be limited to 100 words or less. Because the STOP VAWA Program is funding a very specific service, the Governor's Office of Crime Control & Prevention would like to make writing the project summary as simple and consistent as possible. Use the template provided below for your project summary.

The ____ (Implementing Agency's) ¹ _____ (Title) ¹ _____ program assists in developing and implementing strategies specifically intended to provide assistance to sexual assault victims in Maryland. The program _____.² Program funds provide personnel, equipment, and training.³

Make the following additions/changes to the above template:

1. The beginning of the first sentence contains the Agency's Name and the Program Project Title.
2. 1-2 sentences describing the program's main function and who the program benefits/serves.
3. The last sentence summarizes the budget items proposed to be funded.

C. NARRATIVE TAB INSTRUCTIONS

Provide a description of the program timeline, and potential for information sharing. The contents for the narrative are explained below. The Narrative must be in an outline-styled format (**retaining all numbering, lettering, and headers**). Incomplete narratives may be returned for revision.

1. **Problem Statement:** Include a description of the nature and extent of the problem to be addressed, target population, and geographical area served. Provide the latest statistical data to document the problem. What efforts have been made to address this problem in the past, if any? What will be accomplished by this project?
2. **Goals, Objectives & Performance Measures:** Each application must include clearly defined goals, objectives, and performance measures.
 - **GOALS:** Provide a broad statement that conveys, in general terms, the program's intent to change, reduce, or eliminate the problem described. Goals identify the program's intended short and long-term results for the anticipated funding year(s).
 - **OBJECTIVES:** Explain how the program will accomplish the goals. Objectives are specific, quantifiable statements of the program's desired results, and should include the target level of achievement, thereby further defining goals and providing the means to measure program performance.
 - **PERFORMANCE MEASURES:** Provide quantitative ways to objectively measure the degree of success a program will have in achieving its stated objectives, goals, and planned program activities. *The Governor's Office of Crime Control & Prevention reserves the right to add or delete performance measures to applications selected for funding.*
3. **Strategy & Timeline:** This section details any planning process that was undertaken in developing the plan of response. Further, it should provide an overview of the strategy to be employed and the timeline for implementing the strategy. Include linkages to other programs, organizations, and stakeholders that will be involved in or impacted by the grant program.

Applicants must also submit a detailed timeline/work plan. This timeline/work plan must include:

- Key tasks that must be carried out to implement the program successfully
 - Person(s) responsible for seeing that each task is completed within the proposed timeline
 - Target dates for task completion
4. **Spending Plan:** Detail the timeline for the implementation of each budget line item (i.e., personnel costs will be expended evenly in each quarter; personnel costs cannot be projected evenly in each quarter due to overtime variance, computer will be procured during the 2nd quarter).
5. **Management Capabilities:** Qualifications and Experience of Implementing Agencies: Provide a brief description of the agency's experience and achievements that qualify the agency to conduct the project.

Present and Proposed Staff: List the names and provide a short professional biography of the project director, key consultants, financial officer, and other professional staff members. Clearly identify, by name and title, requested personnel. Indicate how all requested staff are currently funded (i.e., name grant fund or state that personnel are line items in the existing agency budget. **If funded by more than one source, list percentages for each fund source**).

6. **Sustainability:** What prospects exist for continued financing of the project when grant funds are terminated: What efforts have been or will be made to continue the methods, techniques, and operational aspects of the project when the grant funds are concluded? Indicate planned future sources of funding or proposed jurisdictional planning efforts.

LETTERS OF SUPPORT/COMMITMENT (optional)

In an appendix to your application, you may submit letters of commitment by partners who participate in the execution of the project or whose cooperation or support is necessary to its success. Letters of support are optional. **Letters of commitment/support will only be accepted when they accompany the submitted hard copies of the application.**

D. BUDGET TAB INSTRUCTIONS

BUDGET – GENERAL REQUIREMENTS

You must complete a detailed budget for your proposed project. All 'Total Budget' fields will be rounded by the Grant Management System to the nearest whole dollar. There is a 25% total project match requirement for this program.

Budgets must be clear and specific. Budgets must reflect one year of spending and where applicable, be adjusted to reflect start date and holidays. The grant cycle will reflect twelve (12) months, October 01, 2016 to September 30, 2017.

Each budget line item must include a justification entry. The justification sections must contain brief statements (1 to 2 sentences per line item) that explain each line item and their relevance to the project goals and objectives. **Do not state "See Narrative, Goals, or Objectives".**

The Governor's Office of Crime Control & Prevention is requiring prioritization of budget requests. This requirement is addressed following the Budget Tab Instructions under 'Budget Priority Tab.'

Refer to the Grant Management System training videos for further instructions:
<http://www.goccp.maryland.gov/gms-training>.

MATCH

Refer to the Grant Match Calculator located on the Governor's Office of Crime Control & Prevention website:

www.goccp.maryland.gov (select Grant and Programs, Grantee's Area, Grantee's Toolbox).

Here is a direct link to the match calculator:

<http://www.goccp.maryland.gov/grants/grantee-toolbox.php>.

The following provisions apply to match requirements:

- The sub-recipient may satisfy the match requirement with:
 - CASH (e.g., **funds contributed** from private sources or State and local governments such as a portion of someone's salary) and/or
 - IN-KIND services (e.g., services or goods **donated** by the applicant organization or other entities such as a volunteer or donated food).
- Funds from other Federal sources may not be used to meet the match requirement.
- Funds or in-kind resources used as match must be directly related to the project goals and objectives.
- Sub-recipients must maintain records which clearly show the source, the amount, and the timing of all matching contributions.
- Sources of match are restricted to the same requirements as funds allocated under the federal program and must be documented in the same manner as federal program funds, including financial and programmatic reports.

PERSONNEL

The salaries and fringe benefits for staff required to implement the project are listed in the personnel category. Consultants must be listed in Contractual Services. **Time and Effort reports (Timesheets) must be maintained for all personnel included in the grant project. Refer to the bottom of the page at <http://www.goccp.maryland.gov/grants/grantee-toolbox.php> for more information.** If you are paying an employee directly, they should be entered in the Personnel category. For each position, list salary and fringe benefits on separate line items.

| Original Grant Application Budget | | | | | | | |
|--|------------------|--------------------|------------------|---------------|--------------------|-----------------------------|--|
| Original Budget Previous Budget Print Refr | | | | | | | |
| Help | Budget Category | Total Grant Funds | Total Cash Match | Total In Kind | Total Budget | | |
| ? | Personnel | \$33,000.00 | \$0.00 | \$0.00 | \$33,000.00 | | |
| Description of Position | Salary Type | Funding | Wage Type | Wage Amount | Total Budget | Just. | |
| Community Outreach Coordinator | | | | | | \$22,000.00 | |
| Community Outreach Coordinator | Salary | Grant Funds | Annual | \$60,000.00 | \$20,000.00 | [View/Edit] | |
| Community Outreach Coordinator | Fringe | Grant Funds | Annual | \$20,000.00 | \$2,000.00 | [View/Edit] | |
| Community Outreach Trainer | | | | | | \$11,000.00 | |
| Community Outreach Trainer | Salary | Grant Funds | Annual | \$40,000.00 | \$10,000.00 | [View/Edit] | |
| Community Outreach Trainer | Fringe | Grant Funds | Annual | \$10,000.00 | \$1,000.00 | [View/Edit] | |

- The 'Description of Position' field must contain the title of the position.
- Position line items (salary and fringe) are grouped via the 'Description of Position' field.
- After completing the first Position's line item, use the dropdown to add additional budget items to the position.
- The 'Description of Position' field is used to select existing positions and to add new positions.

- For multiple staff in the same position, use a suffix (i.e., Position 1, Position 2, etc.)
- Multiple positions with the same hourly rate may be grouped (i.e., Overtime Patrols – 25 Officers).

Note: Fringe benefits cannot exceed 30% of reported salary costs. For each line item entered, you must include a justification that ties that item to the activities described in your narrative.

Example justifications based on the Personnel category:

Justification (line 1):

The Community Outreach Coordinator helps prepare, schedule, and develop trainings targeted for hospitals and other medical facilities.

Annual salary is \$60,000. She will be devoting 33% of her time to this project. We are requesting $\$60,000 * .33 = \$20,000$ in grant funds to support her time on this project.

Justification (line 2):

Fringe benefits @ 10% of salary. $\$20,000 * .10 = \$2,000$

Justification (line 3):

The Community Outreach Trainer makes presentations at hospitals and other medical facilities.

Annual salary is \$40,000. She will be devoting 25% of her time to this project. We are requesting $\$40,000 * .25 = \$10,000$ in grant funds to support her time on this project.

Justification (line 4):

Fringe benefits @ 10% of salary. $\$10,000 * .10 = \$1,000$

OPERATING EXPENSES

Office supplies (program supplies should be listed in the 'Other' category), Rental Space, Printing, and Communications. Communication expenses include items such as telephone, fax, postage, and other expenditures such as photocopying. For each line item entered, you must include a justification that ties that item to the activities described in your narrative.

Refer to Section XII for a complete list of unallowable expenses.

TRAVEL

| Travel | | | | | | | |
|-------------------------------|-------------|------------|-----------|--------------|-------|------|------------|
| | | \$1,050.00 | \$0.00 | \$0.00 | | | \$1,050.00 |
| Add new record Refresh | | | | | | | |
| Description | Funding | Quantity | Unit Cost | Total Budget | Just. | Edit | Delete |
| Mileage | Grant Funds | 600.00 | 0.56 | \$333.00 | Just. | ✎ | ✕ |
| Meals (B \$8, L \$10, D \$24) | Grant Funds | 5.00 | 42.00 | \$210.00 | Just. | ✎ | ✕ |
| Hotel | Grant Funds | 5.00 | \$101.40 | \$507 | | ✎ | ✕ |

Travel expenses may include mileage and/or other transportation costs, meals and lodging consistent with the local jurisdiction's travel regulations and cannot exceed the State of Maryland reimbursement rate specified below. For each line item entered, you must include a justification that ties that item to the activities described in your narrative.

Mileage maximum: \$0.54 cents/mile as of 1/1/2016.

Maximum Per Diem/Meal Allowance is \$45/day (\$9 Breakfast, \$11 Lunch, \$25 Dinner).

CONTRACTUAL SERVICES *

Consultant contracts for training or evaluation should be included here and shall be consistent with federal guidelines. If you are paying an outside agency for an employee, they are Contractual. For the line item description, enter the agency (Consulting firm, temporary agency, etc.), a dash and then the nature of the service to be provided (e.g., Consultants ABC – training for Seminar). For each line item entered, you must include a justification that ties that item to the activities described in your narrative.

A copy of all contracts associated with items listed in the Contractual Services category must be included with your application.

**Construction projects are ineligible for funding under grant programs and expenses for construction may not be included.*

EQUIPMENT

Equipment is defined as having a useful life in excess of one year and a procurement cost of \$100 or more per unit or \$50 or more per unit for computer and sensitive items. Costs may include taxes, delivery, installation and similarly related charges. The procurement process used must be consistent with your written procurement guidelines. If such guidelines do not exist, refer to the State of Maryland guidelines by accessing General Condition # 17 on the Governor's Office of Crime Control & Prevention website under the Grantee's Area.

Maintaining internal inventory records for equipment procured under this funding source is mandatory. For post award inventory requirements, access General Condition #18 on the Governor's Office of Crime Control & Prevention website. For each line item entered, you must include a justification that ties that item to the activities described in your narrative.

Property Inventory Report Forms will only be required for equipment that costs \$5,000 or more per unit cost.

OTHER

Include all other anticipated expenditures which are not included in the previous categories such as registration fees and program supplies. For each line item entered, you must include a justification that ties that item to the activities described in your narrative.

E. BUDGET PRIORITIZATION TAB (required for all applications with multiple line items)

After completing the Budget tab, click on the Budget Priority tab in the Grant Management System. This tab will provide a list of all budget line items that the applicant has entered in the previous Budget tab. The Budget Priority tab allows the applicant to 'drag and drop' the budget line items in order of priority for funding, beginning with the most essential line item.

| Priority | Description | Salary Type | Funding | Total Budget |
|----------|---|-------------|-------------|--------------|
| 1 | Executive Director | Salary | Grant Funds | \$3,350.00 |
| 2 | Program Director | Salary | Grant Funds | \$18,723.00 |
| 3 | Program Director | Salary | Cash Match | \$3,775.00 |
| 4 | Volunteer Supervisor - Lucretia Scott | Salary | Grant Funds | \$4,000.00 |
| 5 | Volunteer Supervisor - Daniel McEachran | Salary | Cash Match | \$8,400.00 |
| 6 | Volunteer Supervisor - Patti Ross | Salary | Grant Funds | \$2,908.00 |
| 7 | Volunteer Supervisor - Karen Coleman | Salary | Grant Funds | \$2,234.00 |
| 8 | Volunteer Supervisor - Anne Feehley | Salary | Cash Match | \$1,795.00 |

F. PRINT TAB INSTRUCTIONS

The Print tab allows users to generate a PDF version of their application for review and/or submission. Application hardcopies generated while in Application Status 'Pending' have 'Pending Submission' printed at the top of the application pages, and are unacceptable for submission.

The Application Status must read 'Awaiting Hard Copy' before generating a final PDF. The final PDF version is printed (and if requested, photocopied) by the applicant, signed, and sent or delivered to the Governor's Office of Crime Control & Prevention before the hardcopy deadline.

G. APPLICATION STATUS DROP DOWN INSTRUCTIONS

| App. Number: | Grant Number: | Req. Funds: | Match Funds: | Match %: | Project Dates: | Title: | Application Status: |
|--------------|---------------|-------------|--------------|----------|-------------------------|----------------------------------|---|
| [Unassigned] | | \$1,053.00 | \$0.00 | 0.00 % | 03/01/2013 - 03/31/2013 | Financial Investigations Prac... | --> Submit Application Pending --> Cancel Application --> Submit Application |

After completing and reviewing all sections of the application, use the 'Application Status' dropdown to submit your application electronically. Selecting 'Submit Application' from the dropdown performs a final validation check. If the validation check is successful, the application's status changes to 'Awaiting Hard Copy'.

Your Application must be placed in 'Awaiting Hard Copy' status for it to be considered for funding. After the Governor's Office of Crime Control & Prevention has received your signed hard copy/copies, the status will appear as 'Hard Copy Received.'

H. DOCUMENTS TAB INSTRUCTIONS

If there are any additional required forms (e.g. Letters of Support, Collaborative Revenue Form) or other documents that you would like included with your application, use the Documents tab to attach those files. You may upload documents throughout the application process. This could include: DUNS/SAM verification, letters of support, etc.

I. SIGNATURE PAGES

The Certified Assurances and Federal Anti-Lobbying Certification must be signed by the appropriate agency representative and included with the application hardcopies. **Both forms may only be signed by the Applicant Agency's Authorized Official or their duly assigned alternate signatory.** Both forms must be generated by the online application software.

In order for an alternate signatory to be valid, the Governor's Office of Crime Control & Prevention must receive a signed, written notification from the applicant agency's Authorized Official (on agency letterhead) stating that an alternate signatory has been designated.

J. AUDIT FINDINGS / CORRECTIVE ACTION PLAN

Applicants must submit copies of any Audit Findings and Corrective Action Plans with the application. **Do not send a copy of your audited financial statements;** ONLY the applicable audit findings and/or corrective action plan is required.

XIX. CERTIFIED ASSURANCES

This signed form must be generated by the Online Application Software

THE APPLICANT HEREBY ASSURES AND CERTIFIES THE FOLLOWING:

1. That Federal funds made available under this formula grant will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal Funds, be made available for program activities.

2. That matching funds required to pay the non-Federal portion of the cost of each project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for program activities by the recipient of the grant funds and shall be provided as required in the Grant Award document.

3. That following the first year covered by a Grant Award and each year thereafter, a performance evaluation and assessment report will be submitted to the Governor's Office of Crime Control & Prevention.

4. That fund accounting, auditing, monitoring, evaluation procedures and such records as the Governor's Office of Crime Control & Prevention shall prescribe to and shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.

5. That the Grantee shall maintain such data and information and submit such reports in such form, at such times, and containing such information as the Governor's Office of Crime Control & Prevention may reasonably require to administer the program.

6. Sub-recipients will comply (and will require any sub-grantees or contractors to comply) with any applicable statutorily-imposed 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. § 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. § 704); 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); and the

Department of Justice (DOJ's) Equal Treatment Regulations (28 C.F.R. pt. 38).

7. That 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, national origin, sex, or disability against the Grantee, a copy of the finding will be forwarded to the Governor's Office of Crime Control & Prevention.

8. Sub-recipients that are governmental or for-profit entities, that have fifty or more employees and that receive a single award of \$500,000 or more under the Safe Streets Act or other Department of Justice (DOJ) program statutes are required to submit their Equal Employment Opportunity Plan (EEO) to the federal Office of Civil Rights (OCR). The sub-recipients are not required to submit a copy to the Governor's Office of Crime Control & Prevention, but must have a copy available on site for monitoring purposes. Those sub-recipients that are subject to the OCR's EEO Certification Form may access this form at: <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>.

9. That the Grantee will comply with the provisions of the Governor's Office of Crime Control & Prevention's General and Special Conditions for Grants. General Conditions are posted on Governor's Office of Crime Control & Prevention's website (<http://www.goccp.maryland.gov/grants/general-conditions.php>).

10. That the Grantee will comply with the provisions of 28 CFR applicable to grants and cooperative agreement.

11. Sub-recipients are obligated to provide services to Limited English Proficient (LEP) individuals. Refer to the DOJ's Guidance Document. To access this document see U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (67 Federal Regulation 41455 (2002)). This regulation may be accessed at: <http://www.archives.gov/eo/laws/title-vi.html>

CERTIFICATION: I certify that this program will comply with the provisions set forth by the State of Maryland and the Governor's Office of Crime Control & Prevention.

This signed form must be generated by the Online Application Software

XX. CERTIFICATION REGARDING LOBBYING

This signed form must be generated by the Online Application Software



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-free Workplace (Grants)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 --

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted or otherwise criminally or civilly charged by a Government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph, (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminate for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 --

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about --

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after having received notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 312A, GSA Regional Office Building No. 3), Washington DC 20202-4571. Notice shall include the identification number(s) of each affected grant.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant.

Place of Performance (street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE

(GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 --

As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

This signed form must be generated by the Online Application Software

1. Grantee Name and Address:
2. Application Number and/or Project Name
3. Grantee IRS/Vendor Number
4. Typed Name and Title of Authorized Representative
5. Signature
6. Date

This signed form must be generated by the Online Application Software

XXI. APPENDIX A: MATCHING REQUIREMENTS

Matching Fund Requirements: Sub-awards made under the STOP VAWA Program may support up to 75% of the total cost of each project. Applicants must provide a minimum of a 25% non-federal match (in-kind or cash). Funds or in-kind resources used as match must be directly related to the project goals and objectives and must be documented clearly showing the source, the amount, and the timing of all matching contributions. Additionally, sources of match are restricted to the same uses allowed under the Violence Against Women Act, and must be documented in the same manner as STOP VAWA Program funds, including financial and programmatic reports.

Exception: Violence Against Women Act 2005, as amended, created a new provision eliminating match in certain circumstances and providing match waivers in other circumstances. Specifically, 42 U.S.C. 13925 (b)(1) provides:

No matching funds shall be required for any grant or sub-grant made under this Act for

- o Any tribe, territory, or victim service provider; or
- o Any other entity, including a State, that—
 - Petitions for a waiver of any match conditions imposed by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development; and
 - Who petitions for a waiver is determined by the Attorney General or the Secretaries of Health and Human Services or Urban Development to have adequately demonstrated the financial need of the petitioning entity.

Additionally, organizations that do not meet the circumstances described above and are able to adequately demonstrate financial need, may apply for a waiver of match by submitting a separate letter that includes a detailed explanation and justification for the requested waiver.

Calculating Cash/In-Kind Match:

Refer to the Grant Match Calculator located on the Governor's Office of Crime Control & Prevention's website:

www.goccp.maryland.gov (select Grant and Programs, Grantee's Area, Grantee's Toolbox).

Direct link to match calculator:

<http://www.goccp.maryland.gov/grants/grantee-toolbox.php>.

The following provisions apply to match requirements:

- The sub-recipient may satisfy the match requirement with either
 - o CASH (e.g., **funds contributed** from private sources or State and local governments such as a portion of someone's salary) or
 - o IN-KIND services (e.g., services or goods **donated** by the applicant organization or other entities such as a volunteer or donated food).
- Funds from other Federal sources may not be used to meet the match requirement.
- Funds or in-kind resources used as match must be directly related to the project goals and objectives.
- Sub-recipients must maintain records which clearly show the source, the amount, and the timing of all matching contributions.
- Sources of match are restricted to the same requirements as funds allocated under the federal program and must be documented in the same manner as federal program funds, including financial and programmatic reports.

There are two ways to manually calculate your match:

A: If you already know your TOTAL PROJECT COST (TPC), you may multiply that amount by 25% (.25), which represents your match portion with 75% representing the federal funds.

B: If you *don't* know your TPC, but do know the amount of federal grant funds you wish to apply for, you must then use the following process:

- 1) Divide the federal grant funds requested by three. The total is the required match.
- 2) Take the match calculated in step 1 (above), and add this to the federal grant funds requested to determine the Total Project Cost.

Example: Sub-recipient Requests \$57,000 in Federal Funds:

- 1) Required Match = $\$57,000 \div 3 = \$19,000$
- 2) Total Project Funds = $\$57,000 + \$19,000 = \$76,000$

The breakdown and source of the required In-Kind or Cash Match **must** be reflected in the **budget section** of the application. There are strict federal laws against the use of VAWA funds to supplant current funding of an existing program. Jurisdictions must provide assurances and certifications as to non-supplanting, matching fund requirements, and the existence of proper administrative and financial procedures.

Further guidance on the calculation, documentation and auditing of the match requirement can be found in the Office of Justice Programs Financial Guide and on the Office on Violence Against Women web site. Copies of the Guide are available from the Department of Justice Response Center at 1-800-421-6770 or on-line at <http://www.ojp.usd.gov/financialguide/GeneralInformation/index.htm>

XXII. APPENDIX B: SAMPLE LETTER OF CERTIFICATION

Date

Executive Director
Governor's Office of Crime Control & Prevention
300 East Joppa Road
Suite 1105
Baltimore, Maryland 21286

Re: **(Application #, Project Title)**

Dear Executive Director:

I submit this letter to certify that (ORGANIZATION NAME) is in compliance with the requirements of the STOP VAWA as amended by the Violence Against Women and Department of Justice Reauthorization Act of 2005. Specifically, I hereby certify that as a:

1. State or local prosecution, law enforcement, and court entity we have consulted with State, or local victim service programs during the course of developing our grant application(s) in order to ensure that proposed services, 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;
2. State or local prosecution and law enforcement agency we do 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, reimbursement for charges incurred on account of such an exam, or both; and
3. State or local prosecution and law enforcement agency, we are aware of, and in compliance with, the State of Maryland Policy on the Use of Polygraph Examinations in Sex Offense Investigations, which can be found on the GOCCP website:
<http://www.goccp.maryland.gov/documents/Polygraph-Policy.pdf>

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with above certifications.

Typed Name of Authorized Representative:

Title:

Agency Name:

Signature of Authorized Representative:

Date Signed _____

XXIII. APPENDIX C: CONFIDENTIALITY NOTICE FORM

Date

Executive Director
Governor's Office of Crime Control & Prevention
300 East Joppa Road
Suite 1105
Baltimore, Maryland 21286

Re: **(Application #, Project Title)**

Dear Executive Director:

Under section 40002(b)(2) of the Violence Against Women Act, as amended (42 U.S.C. 13925(b)(2)), grantees and subgrantees with funding from the Office on Violence Against Women are required to meet the following terms with regard to nondisclosure of confidential or private information and to document their compliance. By signature on this form, applicants for grants from Office on Violence Against Women are acknowledging that they have notice that, if awarded funds, they will be required to comply with this provision, and will mandate that subgrantees, if any, comply with this provision, and will create and maintain documentation of compliance, such as policies and procedures for release of victim information, and will mandate that subgrantees, if any, will do so as well.

(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 subchapter 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, 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.

(C) Release

If release of information described in subparagraph (B) is compelled by statutory or court mandate—

(i) grantees and subgrantees shall make reasonable attempts to provide notice to victims affected by the disclosure of information; and

(ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(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 is 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.

(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.

(F) Oversight

Nothing in this paragraph shall prevent the Attorney General from disclosing grant activities authorized in this Act to the chairman and ranking members of the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

(G) Confidentiality assessment and assurances

Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

As the duly authorized representative of the applicant, I hereby acknowledge that the applicant has received notice of that if awarded funding they will comply with the above statutory requirements. This acknowledgement shall be treated as a material representation of fact upon which the Department of Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Typed Name of Authorized Representative:

Title:

Agency Name:

Signature of Authorized Representative:

Date Signed _____

XXIV. APPENDIX D: LEGAL ASSISTANCE FOR VICTIMS CERTIFICATION LETTER

Date

Executive Director
Governor's Office of Crime Control & Prevention
300 East Joppa Road
Suite 1105
Baltimore, Maryland 21286

Re: **(Application #, Project Title)**

Dear Executive Director:

This letter serves to certify that **[Applicant]** is in compliance with the following statutory requirements:

(1) Any person providing legal assistance through a program funded under the Legal Assistance for Victims (LAV) Program

(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.

(2) Any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a state, local, territorial, or tribal domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, State, territorial, and local law enforcement officials.

(3) Any person or organization providing legal assistance through a program funded under this Program has informed and will continue to inform state, local, or tribal domestic violence, dating violence or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work.

(4) The grantee's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.

Sincerely,

Typed Name of Authorized Representative:

Title:

Agency Name:

Signature of Authorized Representative:

Date Signed _____

XXV. APPENDIX E: GLOSSARY OF TERMS

Community-based organization

The term “community-based organization” means a nonprofit, nongovernmental, or tribal 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.

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
- (D) any other court-based or community-based personnel having responsibilities or authority to address domestic violence, dating violence, sexual assault, or stalking in the court system.

Courts

The term “courts” means any civil or criminal, tribal, and Alaska Native 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 decision making authority.

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 \(g\)](#))).

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.

An organization will qualify for funding if its primary mission is to address the needs of an underserved population or if it has developed a special expertise regarding a particular underserved population. The organization must do more than merely provide services to an underserved population; rather, the organization must provide culturally competent services designed to meet the specific needs of the target population.

Dating partner

The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of—

- (A) the length of the relationship;
- (B) the type of relationship; and
- (C) the frequency of interaction between the persons involved in the relationship.

Dating violence

The term “dating violence” means violence committed by a person—

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

Domestic violence

The term “domestic violence” includes felony or misdemeanor crimes of 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Domestic Violence or Sexual Assault Coalition – The term domestic violence or sexual assault coalition' means a program addressing domestic or sexual violence that is:

- (A) an established nonprofit, nongovernmental coalition addressing domestic violence or sexual assault within the State or
- (B) a nongovernmental organization with a demonstrated history of addressing domestic violence or sexual assault within the State that proposes to incorporate as a nonprofit, nongovernmental State coalition.

Elder abuse

The term “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 goods or services with intent to cause physical harm, mental anguish, or mental illness.

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.

Intake or referral, by itself, does not constitute legal assistance.

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.

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.

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.

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
- (B) any support, child custody or visitation provisions, orders, remedies, or relief issued as part of a protection order, restraining order, or stay away injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.

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 [14043g \(b\)\(2\)\(C\)](#) of this title, 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.

Rural area and rural community

The term “rural area” and “rural community” mean—

- (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;
- (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; or
- (C) any federally recognized Indian tribe.

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.

Sex trafficking

The term “sex trafficking” means any conduct proscribed by section [1591](#) of title [18](#), whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

State domestic violence coalition

The term “State domestic violence coalition” means a program determined by the Administration for Children and Families under sections [10402](#) and [10411](#) of this title.

State sexual assault coalition

The term State sexual assault coalition means a program determined by the Center for Injury Prevention and Control of the Centers for Disease Control and Prevention under the Public Health Service Act (42 U.S.C. 280b et. seq.).

Trauma informed

The term “trauma informed” describes an organizational and service environment that is sensitive to the pervasiveness of trauma and its impact on survivors, staff, and organizations; that takes steps to anticipate and minimize potential trauma triggers, creates emotional safety, and reduces re-traumatization; and that attends to the quality of interactions for both people using services and for staff.

Trauma-specific services

The term “trauma-specific services” are designed to address the effects of trauma and to facilitate healing and recovery.

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.

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.

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.

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.

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.

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.

Youth

The term “youth” means a person who is 11 to 24 years old.

XXVI. APPENDIX F: FREQUENTLY ASKED QUESTIONS ON CERTIFICATION

Frequently Asked Questions: STOP VAWA Program Certification Requirements

K. Judicial Notification

1. Does the Judicial Notification certification apply to local courts not under the control of the state courts?

The state certification does not need to cover local courts not under the control of the state courts. However, if a local court seeks STOP VAWA Program funding, then it should provide such a certification to the state as a condition of receiving the subgrant.

2. Under the Judicial Notice certification, would a state be in compliance if the notice is provided by law enforcement through the incident report, rather than through the courts?

No. This would not qualify as "judicial" notice.

L. Forensic Examinations

3. What is required by the state to comply with the forensic examination certification?

Under 42 U.S.C. § 3796gg-4, a state is not entitled to funds under the STOP VAWA Program unless the state or another governmental entity "incurs the full out-of-pocket cost of forensic medical exams. . . for victims of sexual assault" and "coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no costs to the victims." In addition, a state must comply with this requirement without regard to whether the victim cooperates in the criminal justice system or cooperates with law enforcement.

4. What is a "forensic medical exam?"

The term "forensic medical exam" means an examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law.

The examination should include at a minimum:

- examination of physical trauma;
- determination of penetration or force;
- patient interview; and
- collection and evaluation of evidence.

The inclusion of additional procedures (e.g., testing for sexually transmitted diseases) to obtain evidence or provide treatment may be determined by the state in accordance with its current laws, policies, and practices.

5. What does a state have to do to "incur the full out-of-pocket cost" of forensic medical exams?

A state shall be deemed to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault if any government entity:

- provides such exams to victims free of charge to victims; or
- arranges for victims to obtain such exams free of charge to the victims.

6. What is the definition of "full out-of-pocket costs?"

"Full out-of-pocket costs" means any expense that may be charged to a victim in connection with a forensic medical examination for the purpose of gathering evidence of a sexual assault (e.g., the full cost of the examination, an insurance deductible, or a fee established by the facility conducting the examination). For individuals covered by insurance, "full out-of-pocket costs" means any costs that the insurer does not pay. However, as described below and above, if the state wishes to use STOP VAWA Program funds to pay for the exams, it may not require victims to seek reimbursement from their private health insurance.

7. Can STOP VAWA Program funds be used to pay for a health care provider's time conducting forensic examinations?

Yes. Starting with FY 2007, STOP VAWA Program funds may be used for health care providers' time conducting forensic examinations, if two requirements are met:

1. the examinations are performed by specially trained examiners for victims of sexual assault (such as Sexual Assault Nurse Examiners (SANEs) or Sexual Assault Forensic Examiners (SAFEs)); and
2. the jurisdiction does not require victims of sexual assault to seek reimbursement from their insurance carriers.

8. Can STOP VAWA Program funds pay for other aspects of SANE/SAFE programs even if the two above requirements are not met?

Yes. STOP VAWA Program funds may support the following activities related to SANE/SAFE programs even if the requirements for paying personnel costs are not met:

- training for SANE/SAFE personnel
- expert testimony of SANE/SAFE personnel
- forensic evidence collection kits ("rape kits")
- equipment, such as colposcopes, swab dryers, and lights
- outreach efforts to inform victims about available services
- victim advocate personnel to accompany victims through the forensic examination process
- on-going counseling services for victims
- on-call time of the SANE/SAFE personnel

This list of SANE/SAFE activities that may be funded is not comprehensive and other similar activities may be funded. Please contact the state's grant program specialist with questions.

9. What if the hospital charges a fee for the use of the examination room?

If the hospital or other medical facility charges a fee for the use of the examination room, it is considered part of the exam and must be paid by the state or other governmental entity.

10. Can the state require victims to submit the claims for the cost of the exam to their personal health insurance providers?

Yes, if they are not using STOP VAWA Program funds to pay for the cost of the forensic exam. Under the definition of "full out-of-pocket costs," states can require that victims submit claims to their personal insurers. However, any expenses not covered by the insurer must be covered by the state or other governmental entity and cannot be billed to the victim. This includes any deductibles or denial of claims by the insurer. The Office on Violence Against Women urges states to keep in mind that, in some cases, insurance billing can present a hardship for victims. For example, a victim of spousal rape may not want her husband to find out that she got a forensic exam. If the victim is forced to submit the claim to her insurance company and she is on her husband's insurance, he may receive a statement from the insurance indicating that she got the exam. For this reason, the Office on Violence Against Women strongly encourages states to not require victims to file a claim with their insurers.

11. Are states permitted to require victims to cooperate with law enforcement as a condition for receiving a free exam?

No. Effective January 5, 2009, a state will not be in compliance with this provision and will be ineligible for STOP VAWA Program funds if the victim is required to cooperate with law enforcement or participate in the criminal justice system in order to receive an exam, payment for the exam, or both. Some victims are unable or unready to decide whether they want to cooperate with law enforcement in the immediate aftermath of the assault. Because evidence is lost as time progresses, such victims should be encouraged to have the evidence collected immediately and decide about reporting the crime at a later date. If local jurisdictions have policies or practices that require victim cooperation or participation in order to receive an exam or pay for the exam, the state is responsible for ensuring that all victims are able to receive free exams, regardless whether they cooperate with law enforcement or participate in the criminal justice system.

12. Can a state set a limit on the cost of the exam?

Yes, the state may set a rate for the cost of an exam. However, states should be cautious that they do not set the rate so low that no facilities are willing to provide exams.

13. Can a state use its Crime Victims Compensation Fund to pay for the forensic exams?

Yes, if state law designates the victim compensation program as the primary paying source for the exams. In many states, the compensation program is the primary payer under state law. For federal guidelines that apply to the Victims of Crime Act Victim Compensation Grant Program, go to www.ovc.gov/voca/pdf/voca_guidelines2001.pdf. If the state has further questions about the use of crime victim compensation funding for forensic exam payment, please contact the Office for Victims of Crime at (202) 307-5983.

14. Under the forensic exam certification, is the state required to provide exams for victims of child sexual abuse?

The certification applies only to adult and youth victims of sexual assault.

15. What should states do when the victim is raped in one state but gets the medical forensic exam in another?

Some states have laws or policies such that they only pay for forensic exams if the rape took place in the state. Others will only pay if the exam took place in the state. Thus, if the victim gets the exam in state A but was raped in state B, state A may refuse to pay on the grounds that the rape did not occur in their state. State B may refuse to pay because the exam did not take place there. States in such situations need to work together to ensure that the victim is not billed for any out of pocket costs.

M. Fees and Costs

16. What grant programs are affected by the “fees and costs” certification?

This requirement applies to grantees under the STOP VAWA Program and Grants to Encourage Arrest Policies and Enforcement of Protection Orders (Arrest) Programs.

17. Who is affected by the “fees and costs” certification?

States, Indian tribal governments, units of local government, and state and local courts that apply for funding under the STOP VAWA Program or Arrest Programs are affected.

18. What is required to comply with the “fees and costs” certification?

Applicants for these programs must certify that:

[Their] laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, dating violence, sexual assault, or stalking, 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, modification, enforcement, dismissal, withdrawal or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.

This certification shall be treated as a material representation of fact upon which the Department of Justice will rely when it determines whether to award the grant.

19. Do applicants need to change their statutes to come into compliance with the “fees and costs” certification?

If the laws of the state, tribe, or unit of local government conflict with the “fees and costs” provision, then the applicant will not be able to make the necessary certification, even if the jurisdiction has a policy of never charging fees.

20. What if an applicant’s statute is silent on the issue of fees?

If the statute is silent on the issue of fees, then the applicant may not need to pass a law because the policy does not need to be expressed in a law. However, the applicant will need to ensure that its policies and practices do not require victims to bear any of the relevant costs. We encourage applicants to pass a law or adopt a written policy to ensure that victims are not required to bear these costs.

21. As a policy matter, why is it important to comply with this requirement?

This provision is designed to ensure that jurisdictions are not forcing victims to bear costs related to criminal and civil domestic violence, dating violence, sexual assault, and stalking cases. The intent of the statutory language is to ensure that all victims can access legal relief in the civil and criminal justice systems, regardless of their financial circumstances.

22. Can grant funds be used to cover these fees and costs?

No, grantees cannot use grant funds to cover these fees and costs. Such use of grant funds would not comply with the certification because grantees are not entitled to funds unless they first certify that they have met (or will meet in certain cases as described in the answer regarding timing of compliance above) the filing fee requirement. This certification is a prerequisite for receiving grant funds. Program funds may not be used to pay these fees and costs, as Congress instructed grantees to certify that victims are not bearing these costs prior to receiving grant funds.

23. Can the respondent or defendant be charged fees in connection with protection orders or criminal cases?

There is nothing in the STOP VAWA Program or Arrest Program statutes to prevent jurisdictions from charging respondents or defendants.

24. What if the state law provides that persons below a certain income can get a fee waiver?

Providing fee waivers only for victims below a certain income is not sufficient. The statutory requirement applies to all victims, regardless of income.

25. Can victims be charged these fees if they are later reimbursed?

No. Charging victims up front and providing reimbursement also is not sufficient to meet the statutory requirement. Even if victims are fully reimbursed, this would require victims to “bear the cost” during the time from when they pay the fees until they receive the reimbursement, which is not permitted by the statute.

26. What if the respondent, defendant, or subject of a warrant or witness subpoena lives out of state? Who should pay the costs of service in such cases?

The statute specifies that the requirement applies whether the warrant, protection order, petition for protection order, or witness subpoena is “issued inside or outside the state, tribal, or local jurisdiction.” This makes clear that victims cannot be charged in such cases. However, the statute does not specify which jurisdiction is required to cover the fees in such a case.

27. What types of protection orders are covered by the requirement?

The requirement specifically applies to an order “to protect a victim of domestic violence, dating violence, sexual assault, or stalking.” This includes any civil order of any type or duration so long as it was issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person. This also includes orders issued by criminal courts, and pendente lite orders in other proceedings, as described in 18 U.S.C. § 2266.

28. Can fees be charged for general protection orders such as “antiharassment” or “repeat violence” orders?

If the person applying for the order is a victim of domestic violence, dating violence, sexual assault, or stalking and is applying to get an order because of that crime, then the order would constitute an order “to protect a victim of domestic violence, dating violence, sexual assault, or stalking.” Jurisdictions may charge for general protection orders when the applicant is not a victim of these crimes.

29. What if a victim of domestic violence, dating violence, sexual assault, or stalking returns to court to request a modification of a protection order?

“Modification” of orders is expressly covered by the certification, so the victim could not be charged for this.

30. If the court denies a petition for an order, can the petitioner then be charged fees?

Possibly, depending on the specific circumstances of the case. It is possible that a court may deny a protection order even though the petitioner is a victim of domestic violence, dating violence, sexual assault, or stalking. For example, if the state law requires physical abuse to have occurred within a certain time period, a victim could be denied an order because there was not a recent enough incident of physical abuse. The petitioner may be charged fees if the court makes a finding that the petitioner is not a victim of domestic violence, dating violence, sexual assault, or stalking and denies the order based on that finding.

31. Can fees still be charged for divorce cases filed by victims of domestic violence, dating violence, sexual assault or stalking?

The provision does not limit the ability of a jurisdiction to charge fees for divorce cases. However, if a victim of domestic violence, sexual assault or stalking files for a protection order within the divorce case, the victim cannot be charged fees associated with the protection order.

N. Polygraphing

32. Does the polygraph testing prohibition mean that victim polygraphs can never be used in a sexual assault investigation?

The polygraph testing prohibition at 42 U.S.C. 3796gg-8 requires states to certify that their laws, policies, or practices “will ensure that no law enforcement officer, prosecuting officer, or other governmental official shall ask or require an adult, youth, or child victim of an alleged sex offense...to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation for such an offense.”

This means that if the polygraph is not required and not a condition for the investigation, an official may request or offer an opportunity to take a polygraph examination. Jurisdictions should keep in mind however, that such “requests” may be inherently coercive to victims. Also, such requests should only be made in extreme circumstances and with justification, not as a routine matter. For example, the Attorney General Guidelines for Victim and Witness Assistance provide that “Department personnel are strongly discouraged from asking sexual assault victims to take polygraph examinations. The investigating agent may ask a sexual assault victim to take a polygraph examination only in extraordinary circumstances and only with the concurrence of a Special Agent in Charge or the Supervisory Assistant United States Attorney. All reasonable alternative investigative methods should be exhausted before requesting or administering a sexual assault victim polygraph examination.” Jurisdictions that do not prohibit all polygraph examinations of victims should consider implementing similar practices to ensure polygraph examinations are not misused.

XXVII. APPENDIX G: NONDISCRIMINATION CONDITION

Nondiscrimination Grant Condition in the Violence Against Women Reauthorization Act of 2013

The Violence Against Women Reauthorization Act of 2013, which President Obama signed on March 7, 2013, amends the Violence Against Women Act of 1994 by adding a grant condition that prohibits discrimination by recipients of certain Department of Justice funds:

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 Violence Against Women Act, 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.

The complete listing of the Frequently Asked Questions: Nondiscrimination Grant Condition in the Violence Against Women Reauthorization Act of 2013 can be found at <http://www.ovw.usdoj.gov/docs/faqs-ngc-vawa.pdf> .