

State of West Virginia
STOP Violence Against Women Grant
Program Guidelines

General Information

The Violence Against Women Act (VAWA), enacted by Congress, is set out in Title IV of the Violent Crime Control and Law Enforcement Act of 1994. The Act provides financial assistance to States for developing and strengthening effective law enforcement and prosecution strategies and victim services in cases involving violent crimes of domestic violence, sexual assault, stalking and dating violence.

The goal of STOP (Services*Training*Officers*Prosecutors) Violence Against Women Formula Grant Program (STOP VAWA) is to encourage governmental and nongovernmental agencies to restructure and strengthen the Criminal Justice system response to be proactive in dealing with the problem of violence against women; to draw on the experience of all the players in the system; and to develop a comprehensive strategy to deal with this complex problem. STOP VAWA promotes a coordinated, multidisciplinary approach to improve the criminal justice system's response to violent crimes of domestic violence, sexual assault, stalking and dating violence.

The Violence Against Women Act was reauthorized in 2000 (Violence Against Women Act of 2000), again in 2005 (Violence Against Women and Department of Justice Reauthorization Act of 2005) and again in 2013 (Violence Against Women and Department of Justice Reauthorization Act of 2013). Each reauthorization modified program requirements and guidelines.

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

Administration of Federal Funds

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

Grant Applications

Applications for federal funds by agencies are initiated by completing a STOP Violence Against Women grant application for a project and submitting it to the Division of Justice and Community Services.

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

application. Grant funding is awarded on a competitive basis each year. **There is no guarantee of funding beyond the one year award period.**

The project period for STOP VAWA grants is July 1 – June 30.

Federal Program Purpose Areas

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

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence, including the use of nonimmigrant status under subparagraphs (U) and (T) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a));
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence, as well as the appropriate treatment of victims;
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;
5. Developing, enlarging, or strengthening victim services and legal assistance programs, including sexual assault, domestic violence, stalking, and dating violence programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, dating violence, stalking, and domestic violence;
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against

women, including the crimes of sexual assault, dating violence, stalking, and domestic violence;

7. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, stalking, and dating violence;
8. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;
9. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence, dating violence, stalking, or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals;
10. Providing assistance to victims of domestic violence and sexual assault in immigration matters;
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
12. Supporting the placement of special victim assistants (to be known as "Jessica Gonzales Victim Assistants") in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities-
 - (A) developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
 - (B) notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;

- (C) referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
- (D) taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.

13. Providing funding to law enforcement agencies, victim services providers, and state, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote—

- (A) the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
- (B) the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003); and
- (C) the development of such protocols in collaboration with state, tribal, territorial and local victim services providers and domestic violence coalitions.

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

- 14. Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.
- 15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.

16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.
17. Developing, enlarging or strengthening programs addressing sexual assault against men, women, and youth in correctional or detention settings.
18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.
19. Developing, enlarging, or strengthening programs and projects to provide services and responses to male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code.

Federal Program Priority Areas

The emphasis of the STOP VAWA Program is on the implementation of comprehensive strategies addressing violence against women that are sensitive to the needs and safety of victims and hold offenders accountable for their crimes. Programs should seek to carry out these strategies by forging lasting partnerships between the criminal justice system and victim advocacy organizations and by encouraging communities to look beyond traditional resources and to look to new partners to respond more vigorously to domestic violence, sexual assault, and stalking crimes, such as faith-based and community organizations.

Examples of innovative approaches include those:

- ❖ Retain core services to victims;
- ❖ Increase support for sexual assault, including services, law enforcement response and prosecution;
- ❖ Increase support for underserved populations, particularly communities of color, in a culturally appropriate manner, with a special emphasis on African-American, tribal and LGBT communities;

- ❖ Increase the use of promising or evidence-building practices, where available;
- ❖ Support core services for victims of sexual and domestic violence, particularly support for rape crisis centers and domestic violence shelters;
- ❖ Provide culturally-specific services and training to underserved communities based on factors such as race, ethnicity, language, sexual orientation, or gender identity;
- ❖ Provide basic and advanced training to tribal law enforcement and tribal courts regarding services for victims in tribal communities;
- ❖ Provide comprehensive training to victim services, law enforcement, prosecution, and court personnel on sexual assault, to encourage increased reporting, arrest and successful prosecution of perpetrators;
- ❖ Support Full Faith and Credit training for tribes, states and territories; and Implement evidence-based risk/danger assessments to identify and prioritize victims who are considered to be in relationships with a high risk of lethality

West Virginia's Plan

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

The following goals and objectives are set forth as an implementation plan to accomplish the mission:

Goal 1: Continue to improve the criminal and civil justice systems response to domestic violence, dating violence, sexual assault, and stalking crimes.

Objective A: Sustain the number of, and increase the training available to, dedicated assistant prosecuting attorneys, law enforcement officers, and victim advocates committed to the effective and appropriate responses of domestic violence, dating violence, and stalking cases.

Objective B: Increase the number of, and the training available to, dedicated assistant prosecuting attorneys, law enforcement officers, and victim advocates committed to the effective and appropriate response to sexual assault crimes.

Objective C: Support the use of victim-centered local protocols in each STOP funded county to:

- Support the on-going team approach to prosecution of domestic violence, stalking, sexual assault, and dating violence crimes among prosecutors, law enforcement officers, judges, and victim service advocates;
- Support evidence-based prosecutions;
- Collect data regarding the arrests and dispositions of domestic violence, dating violence, sexual assault, and stalking cases; and
- Enforce and implement state and federal statutes regarding domestic violence, dating violence, sexual assault, and stalking crimes.
- Include response to elder abuse and disabled victims for domestic violence, dating violence, sexual assault, and stalking crimes.
- Ensure all victims of crime are notified of their rights as a victim and all agencies are required to respect and uphold these rights.
- Ensure the protocols are reviewed on a yearly basis and updated as needed;
- And ensure all plans address cultural competency responses

Objective D: Develop and implement performance measures in order to determine effectiveness and accountability of prosecutor's, law enforcement's, and victim service's response to domestic violence, sexual assault, stalking, and dating violence crimes.

Objective E: Develop and implement a Lethality Risk Assessment and Process which addresses multiple disciplinary agencies response in order to help reduce domestic violence related homicides. Also, train advocates, law enforcement, prosecutor, and court staff concerning the Lethality Risk Assessment.

Goal 2: Coordinate and structure cross training to maximize attendance of all professionals and paraprofessionals that impact victims of domestic violence, sexual assault, dating violence, and stalking crimes, in order to provide a better response to victims.

Objective A: Utilize developed curricula or training modules (for example curriculum developed by WV Foundation for Rape

Information and Services or the WV Coalition Against Domestic Violence) which should include at a minimum: dynamics of victimization, trauma informed care and the effects of trauma on the victim; dynamics and legal issues of stalking; dynamics and legal issues of domestic violence; and collaborative and multidisciplinary response to domestic violence, sexual assault, stalking, and dating violence crimes. Special emphasis should be placed on criminal and civil justice system personnel training (judicial, administrative law judges, prosecutors, law enforcement, legal aid, state bar, etc.)

Objective B: Continue coordinated community response training to law enforcement officers from the entire state using approved content and training teams composed of a multidiscipline approach which should include law enforcement officers, victim advocates, other community advocates (for example, the Community of Aging or Disability Agency) and prosecutors/attorneys.

Objective C: Support annual training to improve coordinated community response for Sexual Assault Response Teams (SART). Recommend funded STOP Teams to include existing Sexual Assault Response Team members as part of their STOP Teams.

Objective D: Support the efforts of the West Virginia Coalition Against Domestic Violence and the West Virginia Foundation for Rape Information and Services in training Adult Protective Service Workers on the issues of Elderly Abuse.

Objective E: Use STOP VAWA funding, along with other funding, to increase training on the appropriate authorization and use of sex crime kits.

Objective F: Support and increase the efforts of the West Virginia Foundation for Rape Information and Services to train statewide multidisciplinary groups (advocates, law enforcement, prosecutors, medical professionals, etc.) on sexual assault and stalking issues. Regional trainings should be offered when possible.

Objective G: Provide training and resources to train victim advocates, law enforcement, prosecution, and court staff on human trafficking and the use of T and U Visas.

Goal 3: Develop and/or increase effective responses to the needs of victims of domestic violence, sexual assault, dating violence, and stalking in underserved communities and cultural and linguistic populations.

Objective A: Expand services and resources for underserved populations, including people with disabilities; people in later life; racial and ethnic minorities; victims who live in isolated, rural areas; victims with language and cultural barriers; prostitutes, the homeless victims, victims in correctional facilities, and victims who are Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ).

Objective B: Build the capacity of domestic violence and sexual assault service agencies to provide educational and direct victim services to victims on college and university campuses.

Objective C: Encourage community-based programs and service providers, faith-based communities, and colleges and universities to coordinate and integrate their services for victims of domestic violence, sexual assault, dating violence, and stalking.

Objective D: Encourage local service providers and criminal justice agencies to identify and collaborate with community based organizations that provide community and/or victim services to linguistic and culturally specific communities/populations.

Objective E: Continue to support telephonic interpretation or language lines in order to provide better services to victims of domestic violence, sexual assault, dating violence, and stalking.

Objective F: Use STOP VAWA Funding or other funding to provide for resources on immigration issues which are translated in languages other than English.

Objective G: Continue training on cultural diversity to all STOP Teams.

Objective H: Continue the development and implementation of a school guideline for responding to dating violence.

Goal 4: Increase prevention and public awareness of services available for domestic violence, sexual assault, dating violence, and stalking victims.

Objective A: Maintain and update, on a yearly basis, a service directory of available service providers for victims of violence available on-line.

Objective B: Increase prevention and public awareness through community forums, educational programs, public advertisements,

and distribution of materials. Ensure resources and materials are updated on a bi-yearly basis, if needed.

Objective C: Develop and distribute domestic violence, dating violence, sexual assault, and stalking public awareness materials to address the needs of underserved populations.

Objective D: Provide prevention and public awareness of dating violence; which may include domestic violence, sexual assault, and stalking issues at the college and high schools levels.

Objective E: Expand awareness of domestic violence, sexual assault, dating violence, and stalking issues statewide throughout the criminal justice system.

Goal 5: Increase collaboration and communication among systems, agencies and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.

Objective A: Continue the work of the West Virginians Against Violence Committee to oversee the Violence Against Women Act Program and the Victims of Crime Act Program; update the Committee on issues and changes in the Victim Services field, in order to foster increased collaboration and communication among systems, agencies, and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.

Objective B: Continue the work of the STOP VAWA Collaborative Committee to review the STOP Implementation Plan and other issues which address domestic violence, sexual assault, stalking, and dating violence crimes, and to foster increased collaboration and communication among systems, agencies, and organizations in their coordinated response to victims of domestic violence, sexual assault, dating violence, and stalking.

Objective C: Sustain and support the central work of the existing STOP teams and STOP funded statewide projects that meet or exceed their projected goals; ensure they are in compliance; that they provide a true victim centered approach, and they can show they are providing quality and effective services.

Objective D: Increase the participation of non-traditional service providers in coordination with current STOP Teams, in order to provide a more varied and encompassing community response with a victim centered coordinated approach and additional resources

being made available on a statewide and local level beyond the traditional criminal justice, court and victim service participants. (i.e. defense attorneys, child protective services, disability service providers, emergency medical services, faith-based community, substance abuse, immigration services, state legislature, legal services, adult protective services, mental health providers, community corrections, education professionals, health professionals, etc.)

Objective E: Support increased collaboration between rural health clinics and licensed medical facilities that will conduct sexual assault examinations utilizing their own staff or the assistance of a Sexual Assault Nurse Examiner. Encourage the screening for domestic violence and sexual assault crimes among licensed medical facilities.

Objective F: Promote victim service providers collaboration with community corrections programs across the state to promote victim issues, including victim safety and offender accountability.

Objective G: Support the development of protocols that address the minimum level standards of care and response related to sexual assault victims and ensure that the Criminal Justice System, Victim Services, and Medical Facilities adhere to these protocols.

Objective H: Assist programs with the development of plans for transition or change of leaders, project directors, advocates, and/or elected prosecutors in the victim assistance field in order to ensure the integrity of the team approach.

Goal 6: To strengthen and expand STOP Violence Against Women Act (VAWA) programs through targeted legislation, identifying new funding sources, coordination and overall system improvement in this area.

Objective A: Engage key stakeholders in a statewide planning process to reduce and prevent violence against women. Acquire specific recommendations from stakeholders.

Objective B: Seek additional funding sources necessary to meet policy requirements, direct services to female victims and their children, and training needs to effectively prevent and respond, in a multi-disciplinary manner, to violence against women crimes.

Major Shifts in Direction

Compared with the former STOP Implementation Plan, this plan reflects many of the same areas of need such as: coordinated responses, training, expanded victim services, public awareness, and expansion of outreach and services to underserved populations.

However, five major shifts in direction will take place in the next three years. The five major shifts include the following:

- Increased focus on providing training and services for sexual assault victims across disciplines.
- Increased focus on victim-centered training for professionals responding to and serving, respecting victims, and upholding rights of victims of domestic violence, sexual assault, dating violence, and stalking.
- Increased training on Human Trafficking and T and U Visas.
- Increased focus on underserved population which include elderly, and LGBTQ victims and victims with disabilities.
- Increased accountability of the teams (in protocols and training content) to ensure that victims' needs are effectively and compassionately addressed.

Emerging Issues

In October 2013 the STOP Implementation Plan Focus group met and attendees brainstormed about issues, areas of need, strengths and weaknesses as they pertain to domestic violence, sexual assault, dating violence, and stalking crimes in West Virginia, many of these ideas were incorporated into the goals, objectives, and areas of greatest need sections of this plan. Other ideas are discussed here because they may not fall within the scope of the West Virginia's current funding plan; however, WV STOP Teams and funded agencies are encouraged to coordinate with other entities, which may be interested in pursuing the following recommendations/issues:

- Increased access to victim centered information. Information needs to be available electronically to meet the needs of the increasing numbers of people in the population that utilize the internet and other electronic media
- Increase distance learning opportunities. Training on domestic violence, sexual assault, dating violence, and stalking issues need to be available in a variety of venues, especially for Sexual Assault Nurse Examiners and other disciplines that currently require

significant classroom time and do not have the flexibility or staff to attend in-person trainings

- Victims with disabilities. West Virginia has a significant portion of the population with disabilities. Targeted outreach for this population needs to be developed and implemented across the state
- Data collection needs to be improved on the criminal justice system level on stalking and dating violence crimes
- More counselors available in rural areas for victims
- More training on investigation and preventing internet crimes, especially stalking
- Funds for transportation for victims to court, services, etc.
- Training on victims with mental health issues and how to provide better services
- Training and services for victims with substance abuse issues
- Resources and economic assistance in order to empower victims
- More training for law enforcement on determining the predominate aggressor, interviewing techniques in order to prevent dual arrests, and to develop strategies for evidence collection in order to support evidence based prosecution
- Increase collaboration and coordination of services, resources, and information
- Increase information provided on cultural diversity across disciplines
- Assessing how STOP Teams are providing the following as a “true Team effort:” outreach, culturally competent services, working as a team, providing services, and cross training
- Specialized training for court personnel
- First responders need Victim Centered training
- Training on the importance of enforcing payment of restitution to victims in order to promote empowerment of victims

- Expand the availability of training opportunities for facilitators of Batterer Intervention and Prevention Programs (BIPPS) classes, so the programs have qualified facilitators and meet licensure standards.

Activities that May Compromise Victim Safety

Ensuring victim safety and a victim centered approach is the guiding principle of the West Virginia STOP VAWA Program. Applicants are strongly discouraged from proposing projects or supporting programs that include any activities that may compromise victim safety such as:

- Offering perpetrators the option of entering pre-trial diversion programs; (Under WV Code §61-11-22 (e) pre-trial diversion is not allowable in Domestic Violence cases)
- Mediation or counseling for couples as a systemic response to domestic violence or sexual assault;
- Requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- Court mandated batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behavior;
- Placement of batterers in anger management programs; and
- Procedures that would force victims of domestic violence to testify against their abusers or impose other sanctions on them.
- Requiring victims of sexual violence to submit to a polygraph examination or other truth telling devices as a condition of proceeding with an investigation of such an offense.
- Practice of “Victim Blaming”. All programs should support the victim and allow the victim to make decisions on their own without blame or sanctions.

Confidentiality and Victim Safety

Programs must ensure the safety of victims and their families by protecting the confidentiality and privacy of persons receiving services.

Programs may not disclose any personally identifying information (name, address, other contact information, social security number, date of birth, racial/ethnic/religions identity, or any other combined information that would serve to identify an individual) without the informed, written, reasonably time-limited consent of the person (or guardian in the case of a minor or disabled). Consent release cannot be given to an abuser of the person.

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

Definitions

The following STOP VAWA related definitions have been revised, effective with the VAWA Reauthorization Act of 2005:

1. **Violence Against Women Crimes** - now includes dating violence, as well as domestic violence, sexual assault and stalking.
2. **Community-based Organization** –The term means an organization that:
 - (A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;
 - (B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
 - (C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or
 - (D) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.
3. **Linguistically and Culturally Specific Services** – means community-based services that offer **FULL linguistic access and culturally specific services and resources**, including outreach, collaboration, and support mechanisms primarily directed toward underserved communities. The term also relates to the community-based organizations and describes the kinds of services such groups would offer to overcome obstacles to access to more traditional services. This also means that mainstream programs that have a goal of serving underserved populations must ensure that they offer **full linguistic access and culturally specific services**. *For example, if a program has translated a brochure, then it should be able to provide all other services in that same language.*

4. **Cultural Competency** - refers to an ability to interact effectively with people of different cultures. Cultural competence comprises four components: (a) Awareness of one's own cultural worldview, (b) Attitude towards cultural differences, (c) Knowledge of different cultural practices and worldviews, and (d) cross-cultural Skills. Developing cultural competence results in an ability to understand, communicate with, and effectively interact with people across cultures.
5. **Personal Identifying Information** - The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—
 - (A) a first and last name;
 - (B) a home or other physical address;
 - (C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
 - (D) a social security number; and
 - (E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (A) through (D), would serve to identify any individual.
6. **Rural Area or Rural Community**.—The term means:
 - (A) any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget; or
 - (B) any area or community, respectively, that is:
 - (i) within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area; and
 - (ii) located in a rural census tract.
7. **Underserved Populations**. — refers to individuals or communities who are subject to various barriers that deny or limit access to quality advocacy and services. Includes populations underserved because of geographic location, underserved racial and ethnic populations, and/or populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age). Other examples: religious/cultural, illness/disease, sexual orientation, and education/literacy.
8. **Victim Services or Victim Service Provider**.—The term 'victim services' or 'victim service provider' means a nonprofit, nongovernmental organization that assists domestic violence, dating

violence, sexual assault, or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

9. **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.
10. **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.
11. **Youth** - means teen and young adult (13 and up) victims of domestic violence, dating violence, sexual assault, or stalking.
13. **Elder Abuse** – means any action against a person who is 50 years of age or older that constitutes the willful
 - (A) Infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or
 - (B) Deprivation by a person, including a caregiver, of foods or services with intent to cause physical harm, mental anguish, or mental illness.

Certification of Eligibility Requirements

Subgrantees must be able to demonstrate compliance with the following requirements:

- Laws or official policies: 1) encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed, and 2) encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protections order.
- Laws, policies, or practices and training programs discourage dual arrests of offender and victim.
- Laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses/partners file a claim and the court makes detailed findings of fact indicating that both spouses/partners acted primarily as aggressors and that neither spouse/partner acted primarily in self-defense.
- Laws, policies, or practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim

of domestic violence, dating violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state or local jurisdiction.

- Laws, policies, or practices concerning forensic medical examination payment for victims of sexual assault, ensures: 1) a governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault, and 2) it will not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.
- Judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws.
- Laws, policies, or practices ensure that no law enforcement officer, prosecuting officer or other government official shall: 1) ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, state or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense, and 2) the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state or unit of local government.

All funded agencies and staff must be Victim Centered and ensure Victims are informed and ensured of their rights.

Eligible Applicants

In order to be eligible for West Virginia STOP VAWA funds, an applicant must meet the following requirements:

1. A team must be formed that includes at a minimum: law enforcement officer, a prosecutor and a private non-profit, non-governmental victim service provider. The team may include other agencies in the team area that wish to participate. Only one Team per county will be funded. All teams are encouraged to include a member from a faith-based and a cultural/linguistic specific group/organization.
2. Programs must be operated by a public agency or a private nonprofit organization. However, a private nonprofit organization that only provides occasional counseling or services to victims or whose sole

purpose is to provide advocacy to the legislature for victims of crime would not qualify for eligibility.

3. The STOP VAWA requires that each state must distribute their grant funds each year in the following manner: At least 30 percent to victim services programs (*of which 10 percent must be distributed to linguistically and culturally specific community-based organizations*), 25 percent must be allocated to law enforcement, 25 percent to prosecution, 5 percent to state or local courts, with the remaining 15 percent allocated as discretionary. This is a statutory requirement. These allocations may not be redistributed or transferred to another funding allocation area (with the exception of the discretionary funds, which can be used to supplement other allocation areas)

For Fiscal Year 2014, available STOP VAWA funds are as follows:

• Mainstream Victim Services	(27%)	\$ 246,616.76
• Victim Services Sexual Assault Set-Aside		\$ 61,654.19
• Culturally Specific Org.	(3%)	\$ 34,252.33
• Law Enforcement	(25%)	\$ 229,211.38
• LE SA Set-Aside		\$ 56,224.69
• Prosecution	(25%)	\$ 229,211.39
• Prosecution SA Set-Aside		\$ 56,224.68
• Courts	(5%)	\$ 57,087.21
• Discretionary	(15%)	\$ 112,946.47
• PREA Set-Aside	(4.75%)	\$ 58,314.90

Non-profit, non-governmental organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking are eligible to apply for the portion designated for nonprofit, nongovernmental victim serves.

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

- An organization's primary mission is to address the needs of a racial or ethnic population or the organization has developed a special expertise regarding a particular racial and ethnic population. As well, the organization must do

more than merely provide services to an underserved population; rather, it must provide culturally competent services designated to meet the specific needs of the target population.

- At a minimum, an organization must have documented expertise or demonstrated capacity to work effectively on domestic violence, dating violence, sexual assault or stalking issues and to work with victims of those crimes OR acquires that expertise through collaboration with another entity.

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

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

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

4. Programs shall promote within the community or region served coordinated public and private efforts to aid crime victims. Because various kinds of services needed by victims of crime are usually provided by a variety of agencies, it is important that these services be coordinated to ensure continuity of support to the victim and to avoid duplicating services.
5. Programs shall assist victims in seeking available crime victim compensation benefits through the West Virginia Court of Claims. Programs will identify and notify potential recipients of the compensation program and assist them with the compensation claim forms.
6. Programs must be able to identify and describe the underserved population(s) within their locality and how the population(s) will benefit from the STOP VAWA related services. These underserved populations must be different than just domestic violence, sexual assault, stalking and dating violence victims. For example, an

underserved population could be LGBTQQ, or People of Color victims of all the above referenced crimes.

7. Programs must be able to describe how they plan to address the needs, including access to programs, services and information, of populations of individuals whose primary language is not English.
8. Programs must be able to describe in detail a plan of sustainability of the program in the event that STOP VAWA funds were to be relinquished. The plan should illustrate the willingness and capacity to continue the program after STOP VAWA funds are no longer available. Programs do not discuss the fact that without STOP VAWA funds the program would not exist.
9. State Agencies/Organizations are also eligible for STOP VAWA funds as long as the proposal meets at least one of the Federal and State Program Purpose Areas. Statewide initiatives do not require a Team application; however, an advisory committee made up of at least a non-profit, non-governmental victim services, prosecution and law enforcement is strongly recommended.

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

10. All sub-grantees are required to develop and implement client surveys for evaluation (of the services provided) purposes. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented. All survey/evaluations must ensure client confidentiality.
11. Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services. This entity will send all adverse findings of discrimination within the last three years to the Office for Civil Rights to the following address:

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

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

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

They should also have posted the following information:

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

Funds to Faith-based Organizations

Faith-based organizations will be considered for funding on the same basis as any other eligible entity and, if funded will be treated on an equal basis with all other subgrantee agencies in the administration of awards. No eligible applicant will be discriminated for or against on the basis of its religious affiliation.

Faith-based organizations receiving Department of Justice (DOJ) funds retain their independence and do not lose or have to modify their religious identity. **However, DOJ funds may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program.** Further, participation in such activity by individuals receiving services must be voluntary.

Matching Requirements

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

The matching requirements are as follows:

- a. Private Non-Profit Agencies: A contribution of non-Federal dollars is **not** required for these agencies under the victim service category.

If private non-profit agencies apply for discretionary funds (or any category other than victim services) the match requirement is not waived. The standard 27% match requirement is still mandatory.

- b. Government Agencies (this includes Law enforcement and Prosecution): 27% Cash or In-Kind Match

Government agencies, as a part of the team, must provide a minimum of 27% match from other non-federal sources for their portion of the application. This match may be cash or in-kind. Matching funds are required on a project-by-project basis.

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

Examples: Cash donations, United Way funds, money from fundraising activities, state grants, private foundations, etc.

In-Kind Match Represents the value of non-cash resources (services, personnel, space, equipment, or other non-cash items) which belong to the subgrantee and are committed to the VAWA-funded project; which may consist of the value of goods and services specifically identifiable to the grant program; and charges or value of real property.

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

Please note that if volunteer hours (which are one of the best non-cash resources) are used as match, a dollar value (a wage rate) may be assigned for the volunteer's time depending upon the type of service provided to the victim. For instance, a volunteer who transports victims may be assigned a value of \$7.25 per hour (or current minimum wage) for providing this service. If a doctor or lawyer provides some volunteer professional services, such as counseling or legal advice, their services may be assigned a value of as much as \$75.00 per hour or \$100.00 per hour depending upon their individual rates for providing professional services.

All subgrantees must maintain records which clearly show the source and amount of matching contributions (cash or in-kind) committed to the project.

Methods for Calculating Match

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

Example 1

Amount of Law Enforcement Budget Page: \$18,750
 $\$18,750 \div .73 = 25,685$

Total Project: \$25,685
 VAWA Funds -18,750
 Matching Funds \$ 6,935

Example 2

Team Participant	Federal Funds	Match Required	Total Cost
Prosecutor's Office	22,500	8,322	30,822
Police Department	18,750	6,935	25,685
Total Funds	\$41,250	\$15,257	\$56,507

Allowable Match:

Cash Match

Personnel/Contractual:

- Salaries/benefits: (not federally funded and is for the purpose of the VAWA grant program)
 - ❖ Documentation required: timesheets; paycheck stubs; back-up documentation for insurance and other required documentation.
- Supervision: of advocates which is directly related to serving victims (this is not a full-time position and should be pro-rated and should not exceed 30% of their time)
 - ❖ Documentation required: a memo stating who the person is and that they certify their time is spent supervising for the project;

timesheets, paycheck stubs; back-up documentation for insurance and other required documentation.

- Costs incurred to advertise for personnel for the VAWA funded project.
 - ❖ Documentation required: invoice, proof of payment, copy of advertisement.

Travel/Training:

- Direct Service Mileage: includes transporting victim(s) to court, medical appointments, and counseling. This may also include the advocate attending the court, MDIT meeting **with** the victim. **This cannot be used to attend STOP Team Meetings, SART Meetings or other community meetings.**

- ❖ Documentation required: Travel form which has the same information required on DJCS travel form, purpose for travel, two signatures, and proof of payment.

Note: VAWA- Law enforcement may use travel costs to investigate VAWA crimes – they must provide documentation such as a travel log which includes the date and mileage, and charge at the cruiser rate which is 20 cents/mile. Also be aware if an agency is using an agency vehicle the rate is also 20 cents/mile.

- Travel/Training: Skills training for staff which may include travel (at the state per diem rates and state regulations) and training costs, such as registration fees. BE AWARE: **ALL** trainings must be **pre-approved by DJCS** or they will not be reimbursed or used as match.

- ❖ Documentation required: Travel form which has the same information required on DJCS travel form **and two signatures**; proof of payment; registration fees will only be reimbursed if DJCS is provided proof of attendance, such as certificates or sign-in sheets and proof of payment.

- Training materials: books, manuals, etc. (no trinkets, bags, food, etc. can be used for match)

- ❖ Documentation required: invoice and proof of payment

Space:

- Telephone/Hotline/Internet: This is pro-rated and must be for the VAWA funded person (s).

- ❖ Documentation required: invoice, proof of payment and the amount charged to the grant.

- Office space: pro-rated and must be only for the VAWA funded person(s).

- ❖ Documentation required: lease agreement, proof of payment and the amount charged to the grant.

Other:

- Supplies: may include paper, ink, envelopes, postage, other office supplies which are related to serving victims (not calendars)
 - ❖ Documentation required: invoice and proof of payment and the amount charged to the grant
- Leases for office equipment: this must be pro-rated for the grant
 - ❖ Documentation required: invoice; lease agreement and proof of payment; and the amount charged to the grant.
- Furniture purchases: which is used exclusively for the VAWA project
 - ❖ Documentation required: invoice and proof of payment
- Audit Costs – 2% of the Audit costs can be used as match for VAWA
 - ❖ Documentation required: invoice and proof of payment

In-Kind Match

Personnel/Contractual:

- Volunteer hours – must be donating time to the VAWA project – this can include un-paid interns
 - ❖ Documentation required: volunteer log or volunteer timesheet (if a timesheet is used it must have the volunteer's signature and supervisor's signature) which has the date volunteered, volunteer's name, hours volunteered, and rate; this should have a certification which is signed by the project director, or the fiscal officer, or the volunteer coordinator. Volunteer rates are as follows:
 - ✚ Professionals: up to \$150/hr. A professional is defined as a doctor, licensed therapist/counselor, pro-bono attorney, etc.
 - ✚ Paraprofessional: up to \$20/hr. A paraprofessional is defined as a person who is trained to assist professionals but do not have licensure and have received extensive training and may not work regular work hours. Such as CASA Volunteers, counselors, hotline workers, etc.
 - ✚ General: up to \$10/hr. All other volunteers who do not fit the professional or paraprofessional definition.

Space: this included donated office space

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

Other

- Donations: of expendable equipment, office supplies, workshop or classroom material, clothing, food, housing supplies.
 - ❖ Documentation required: list of donated goods, certificate stating these items are used for the VAWA project, and a fair market value of each item. All donated goods must be used in the same time as they are requested for match; for example if you are requesting this as match in October than they should have been distributed or used by October.
- Office equipment: such as a copier, fax machine etc. Provided by the agency and used for VAWA project.
 - ❖ Documentation required: DJCS Office equipment usage log; this should be pro-rated for VAWA usage only and a fair market value applied.

Eligible Services and Activities

Violence Against Women funds shall be used only to provide services to victims of violent domestic violence, sexual assault, stalking and dating violence crimes. "Services to victims of crime" means those activities that directly benefit individual crime victims, including the required coordination of such activities, i.e., coordination of volunteers and/or coordination of public and private efforts to aid crime victims. Activities unrelated or only tangentially related to the provision of direct services to victims are not eligible for support.

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

1. Direct-Service Staff -- A portion of a team VAWA grant is allocated for covering salaries or portions of salaries for staff members who are providing direct services to women, such as therapists, counselors, and victim advocates. Administrative salaries such as

for an executive director, fiscal officer, or clerical staff, cannot be VAWA-funded.

2. Crisis Intervention Services that meet urgent emotional and physical needs of crime victims. Crisis intervention may include support, guidance and counseling provided by counselors or mental health professionals in the immediate aftermath of a crime, crisis or trauma. It may also include the operation of a 24-hour hotline that provides counseling or referral for crime victims.
3. Counseling and Therapy which assist victims in dealing with their victimization beyond the services provided in the immediate aftermath of a crime, crisis or trauma. Therapy refers to specialized psychological or psychiatric treatment for individuals, couples, and family members. Counseling refers to mental health services which involve providing support and guidance to victims. Immediate family members are also eligible to receive service if the crime victim will benefit from such services. Immediate family members: a) the parent and/or legal guardian of a victim under 18; b) siblings of a crime victim; c) the spouse of the victim; and d) the children of crime victims. There is a cap of \$10,000 per application for contractual services, such as counseling and therapy sessions.
4. Support Services may include reassurance and empathetic listening and guidance for resolving practical problems created by the victimization experience; providing employment counseling; acting on the crime victim's behalf via other social services and criminal justice agencies; and referral to other sources of assistance as needed.
5. Emergency Services -- Provide accompaniment/transportation to hospital and police station; provide temporary shelter for crime victims who cannot safely remain in their current lodgings; or provide crime victims with petty for meeting immediate needs related to transportation, food, medicine, shelter, and other necessities. This is to be used for **emergency situations** only and should not last more than one week.
6. Group Treatment refers to supportive group activities, as well as psychotherapeutic group treatment. This may include peer support, social support, and drop-in groups.
7. Court-Related Services refers to services which assist women in participating in criminal justice proceedings including advising victims of their legal rights, providing information regarding police investigation and explaining prosecution and court procedures;

assisting victims with the preparation of victim impact statements; maintaining an on-call service and information system to apprise victims of appearances at court proceedings; advising victims of post adjudication notices of parole board and probation hearings and notice of offender release, etc.; assisting in filing temporary restraining orders, injunctions, and other protective orders, elder abuse petitions and child abuse petitions; accompanying a crime victim to court; providing child care services for crime victims while they participate in essential court proceedings; providing transportation to and from court; and providing emotional support to victims during a trial. This does not include the employment of private attorneys.

8. Community education activities that describe direct services available to women and how to obtain a program's assistance (such as pamphlets, brochures, and posters) are eligible to be funded out of VAWA funds. Brochures or pamphlets outlining general information, such as about rape or domestic violence, may be funded out of VAWA funds if the agency's name, phone number, and a description of services are also printed on the brochure or pamphlet.

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

9. Rent -- A sub-grantee may charge or prorate a reasonable cost of rent for a VAWA-funded project. The sub-grantee shall certify in writing that the requested rental charge is consistent with the prevailing rate in the local area.
10. Training -- A sub-grantee may include as a small portion of a grant the reasonable cost of staff development for those persons (salaried and volunteer staff) who provide direct services to women. Please note all approval for any training must be approved by the Division of Justice and Community Services prior to attending any training by submitting to DJCS a written request for training approval.

VAWA funds may be used for workshop/conference registration fees, mileage, meals, and lodging expenses for In-State Training and Out-of-State Training in accordance with State Travel Regulation. VAWA funds may not be used for continuing education credits. This means that a staff member can attend a

training (if approved by DJCS) at which CEU credits are offered. However, VAWA funds would not cover the costs of the CEU credits but would cover the registration costs and related travel, meals, and lodging expenses.

VAWA funds can also be used to host in-state violence against women related training events. All training events, agendas and speakers must be pre-approved by DJCS 90 days prior to the scheduled training. Speaker fees may not exceed the \$450/day federal rate.

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

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

12. Audit costs -- All grant recipients are required to have agency-wide audits and VAWA funds may be used to reimburse grantees for a portion of the audit expense (no more than 2 percent of the grant award). Required audits are to be performed on an organization-wide basis as opposed to a grant-by-grant basis, and must be performed annually pursuant to the OMB circular A-128, Audits of State and Local Governments, and OMB circular A-133, Audits of Institutions of Higher Education and Other Nonprofit Institutions.
13. Printing and Postage -- VAWA funds may be used to cover reasonable costs for printing and distributing brochures, pamphlets, posters, and similar announcements describing a program's victim services and how to obtain a program's assistance, and similar public notification efforts intended to recruit volunteers.
14. Advertising -- VAWA funds may be utilized to advertise a program's victim services, such as newspaper ads. It is also allowable to use VAWA funds to cover costs for advertising staff position openings, such as for VAWA staff. It would not be allowable to allocate an entire VAWA grant for advertising victim services.
15. Counseling/Educational Materials -- VAWA funds may be utilized to purchase materials necessary in counseling victims, such as

books, tests, psychological testing materials, materials used to train volunteer staff, etc.

16. Crisis Hotlines, Telephone, and Pager costs which are necessary and reasonable in providing crisis intervention services, such as emergency counseling or referral for crime victims, may be allowable from VAWA funds. For instance, if a VAWA project used one of an agency's four telephone lines for sexual abuse services, it would be reasonable to charge a VAWA grant \$50 a month out of a \$200 a month telephone bill.
17. Office Supplies -- Reasonable supply costs in operating the VAWA program, such as files for setting up case records, Xerox paper for copying brochures or general information relating to direct services to victims, letterhead, envelopes, and postage for mailing direct service information to victims are allowable. A portion of general office equipment that is necessary and essential to the delivery of direct service may also be allowable. The total office supplies/equipment for a program could not be charged to the grant.
18. Law Enforcement Officers -- The cost of salary, benefits and/or overtime of a police officer who is dedicated to a domestic violence unit or sexual assault investigative unit. **There is a cap of \$25/hour (or \$26,000) on VAWA funds to be awarded for the salary of dedicated law enforcement officers under the grant program** (this does not necessarily include fringe benefits).
19. Prosecutors -- The cost of salary and benefits for an assistant prosecutor who would be dedicated to the prosecution of domestic violence and/or sexual assault cases. Prosecution support services, such as overseeing or participating in statewide or multijurisdictional domestic violence task forces, conducting training for local prosecutors or enforcing victim compensation and domestic violence related restraining orders shall be considered "direct responsibility" for purposes of this program. **There is a cap of \$25/hour (or \$26,000) on VAWA funds to be awarded for the salary of dedicated prosecutors under the grant program** (this does not necessarily include fringe benefits).
20. Evaluation -- Project that would evaluate the effectiveness of funded teams.
21. Data collection -- The development and improvement of data collection and communications systems linking police, prosecutors, and courts or for purposes of identifying and tracking arrests,

protection orders, violations of protection orders, prosecutions, and convictions.

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

Ineligible Services or Activities

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

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

7. The purchase of liability insurance policies.
8. The repair of buildings and improvements to shelter.
9. Witness Management or Notification Programs -- Victim/Witness programs which provide both victim services and witness notification services can receive VAWA funding support only for that portion of the program that provides direct services to crime victims.
10. The payment of fees for professional services rendered by lawyers and doctors are not eligible for VAWA funding. Victims treated for crime-related injuries are encouraged to seek reimbursement for medical services from the Crime Victims Compensation Program. This provision, however, does not prohibit direct service programs from hiring staff, salaried medical/health professionals to provide services on site to clients. This differs significantly from a case by case fee-for-service type of arrangement.
11. The purchase of real estate.
12. The purchase or rental of cars, van, or other vehicles.
13. Bad debts.
14. Contingencies.
15. Contributions or monetary donations.
16. Entertainment.
17. Fines and penalties.
18. Interest and other financial costs.
19. Prior obligations.
20. Underrecovery of costs under grant agreements.
21. Legislative expenses.
22. Indirect Costs.
23. Legal or defense services for perpetrators of violence against women may not be supported with grant funds.

24. Law Enforcement overtime hours to provide security at Monitored Visitation and Exchange Centers.
25. Non-Licensed Residential Services. Residential services (services provided in a shelter) through a non-licensed domestic violence program are not eligible for VAWA funding.
26. Activities that compromise victim safety
27. Dedicated VAWA funds for perpetrator intervention/prevention programs (with the exception of funding law enforcement officer overtime to facilitate classes or including the facilitation of such classes in the job description of a VAWA dedicated law enforcement officer).
28. Political Activity.

STOP Team Guidelines

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

Teams must adhere to the following requirements:

- a. Membership of the STOP Team **must** include a non-governmental non-profit victim service provider, law enforcement officer, and prosecuting attorney, regardless of whether those positions are STOP funded. These three entities are known as the “core” members.

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

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

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

If a STOP project includes more than one county, then all core members must be represented from each county covered by the STOP funding.

- b. The Team must meet on **at least** a quarterly basis (within the grant period which begins July 1st and ends June 30th) and copies of the agenda, sign-in sheet, and meeting minutes must be documented and submitted to DJCS with appropriate monthly progress reports. All STOP Teams may be required to have **four** standardized meetings per grant period with a standardized agenda (information on the standardized meetings will be provided upon receiving an award).
- c. **All** core members must have **active** participation and **regular attendance** at Team meetings. A high level of **commitment** from all core members to work collaboratively must be demonstrated. If a core member cannot attend they may have another person attend in their place. For example, if a Prosecutor cannot attend another prosecutor or assistant prosecutor should attend in their place. (Prosecutor's key personnel, investigators, or advocates cannot attend in the prosecutor's place)
- d. Maintain a Team protocol for Law Enforcement, Prosecution and Victim Services response to domestic violence, sexual assault, stalking and dating violence crimes. Regular reviews and necessary revisions should be an on-going process. *Note: All Protocols must include each core member's response to the new Firearms Law of Firearm removal and storage; and a response to law enforcement officers who are perpetrators of domestic violence, sexual assault, stalking and dating violence crimes.*
- e. The application (which includes Goals and Objectives), Team protocol, and required reports must have input from **all** core members. These three topics should be recurring topics at STOP Team meetings.

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

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

- f. Application, protocol, membership, and meeting topics must address all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking).
- g. A Team evaluation or feedback process must be implemented and maintained throughout the grant period to assist in measuring the Team's effectiveness and to identify need and gaps in service. This should also be a continuing topic at Team meetings.
- h. Team must keep current on all local, state, and federal laws and policies related to violence against women crimes. (For example, the changes in the 2007 legislative session regarding forensic medical exams and polygraph prohibition for sexual assault victims and the changes in the 2008 legislative session regarding stalking.)
- i. Must develop and implement policies/practices regarding victim confidentiality and information sharing that meets the VAWA 2005 requirements.

Teams are strongly encouraged to comply with the following recommendations:

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

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

- b. In circumstances where there is a victim advocate in a law enforcement agency or a prosecutor's office. Then both the advocate and a law enforcement officer or the advocate and a prosecuting attorney should be a member of the STOP Team. **However, as indicated above, an officer and a prosecutor are required.**
- c. Include community agencies and individuals (both those that are part of the STOP Team and those who are not) in the evaluation of the Team and Team process. Examples: Judges, victims served, law enforcement officers, probation officers, victim advocates, prosecutors, health professionals, etc.

- d. Conduct training/education events throughout the year. This can be done with 20-30 minute workshop/sessions at each STOP Team meeting.
- e. Focus training, education, awareness, and services on community collaboration and include more cross-training events.
- f. Evolve new leadership on the STOP Team. Leadership/officers should be re-evaluated and reconsidered each year.
- g. Constantly review and evaluate membership and add/change members as needed. Team members should be willing and active participants.

Guidelines for STOP Team Protocol

The following guidelines have been implemented as a minimum requirement for each Team's STOP VAWA Protocol:

- a. Must address the Team's response to all four violence against women crimes (domestic violence, dating violence, sexual assault, and stalking). *Include Firearms removal/storage information. Also include protocol for law enforcement agencies protocol for law enforcement officers involved with domestic violence, dating violence, sexual assault and stalking crimes.*
- b. Each core discipline (victim services, law enforcement, and prosecution) must have their own component, which address the response to all four crimes (domestic violence, sexual assault, stalking and dating violence). *Note: Other disciplines are encouraged to have their own components as well (i.e. 911 centers, local medical facilities, etc.) If a program is requesting funds for the cultural specific organization component, it is then considered a core discipline and must be included in the protocol.*
- c. Protocol must address and answer the following questions:
 - 1. Who provides response/service at the following stages?
 - Pre-investigation
 - Investigative
 - Prosecution
 - Re-Entry/Aftercare
 - 2. What response/service is provided at each of these stages?
 - 3. How is the response/service coordinated?

- d. Protocol must include a section addressing each of the following components:
 1. Description of the policies in place for law enforcement officer involved (perpetrated) in domestic violence, sexual assault, stalking and dating violence cases. How does the team respond when a law enforcement officer is accused of dating violence, domestic violence, sexual assault and/or stalking?
 2. Mechanism(s) the Team uses to ensure compliance with the protocol? (Example: checklist, survey, etc.)
 3. Description of how the Team measures effectiveness of the established protocol? (Examples: case specific review, periodic self evaluations, victim surveys, community surveys, criminal justice agency surveys, etc.)
- e. All Team members must review and evaluate the Protocol on at least an annual basis. Any revisions should be submitted to DJCS with the corresponding monthly report.
- f. Team members agree to keep current on all local, state, and federal laws, guidelines, and regulations pertinent to violence against women crimes and to appropriately address those laws in the established protocol. Including, but not limited to, the following:
 - Federal, state, and local firearms prohibition for domestic violence offenders.
 - WV polygraph prohibition for sexual assault victims.
 - WV stalking law revisions.
- g. Team agrees to ensure that victim safety is top priority of the protocol and to avoid implementation of any policy, procedure, or process that could compromise the safety of victims of violent crimes against women.

Reporting Requirements

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

Subgrantees who are awarded STOP VAWA funds will be required to prepare and submit the following types of reports.

1. **Financial Report**

This report must be prepared and submitted on a monthly basis and is due at the DJCS office no later than 20 days following the close of the reporting month. Attach copies of invoices, as well as, proof of payment, to verify expenditures.

2. **Request for Reimbursement**

A copy of this form is to be submitted monthly with the Grant Financial Report for the purpose of DJCS issuing a reimbursement check. The total requested should agree with amounts listed on the Grant Financial Report. This form requires the original signature of either the authorized official or fiscal officer of the approved grant. Additionally, this form should not be altered by the subgrantee.

3. **Progress Reports**

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

- a. Statistical data reflecting the number and types of victims served during the month.
- b. A summary completed by the VAWA-funded staff position outlining activities during the month as they related to the approved goals and objectives of the grant.
- c. Copies of minutes from the governing board, such as Board of Directors, Advisory Boards, Team Meetings, etc. STOP Team meeting minutes should be submitted with each corresponding monthly report.
- d. A monthly summary of coordination efforts among team members. Although monthly STOP Team meetings are encouraged, the grant requires Teams to meet at least on a quarterly basis.

4. **Subgrant Annual Performance Report**

This form is required of all completed projects, and reports activities based on the calendar year (January 1 through December 31). The report will be due to DJCS within 30 days of the end of the calendar year. Forms and instructions will be provided by DJCS.

5. Other Reports

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

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

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

Monitoring of Funded Programs

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

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

Additionally, DJCS will require a self monitoring report for all programs which receive funds but are not visited on-site during a grant period. These forms will be mailed to the Project Directors with instructions and will be due no later than June 1 each grant year.

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

1. Determine progress made toward achieving project objectives;
2. Determine compliance with terms, conditions, and purpose of grant;
3. Identify technical assistance needs; and
4. Provide guidance of future design or funding of similar projects.

Evaluation

An evaluation team (or member) may make periodic visits to each grant program during the project period to aid in evaluation efforts or to conduct an independent evaluation of the funded project. Evaluators may request additional information from funded projects or request their participation in a project evaluation. Funded programs agree to participate in evaluation efforts approved by DJCS.

All sub-grantees are required to have Data Universal Numbering System (DUNS Number) you may obtain this by calling 1–866–705–5711 or by applying online at <http://www.dnb.com/us/>. All sub-grantee are required to be registered and updated yearly with the System for Award Management (SAM) at www.sam.gov.