

GRANT MANUAL

VICTIMS OF CRIME ACT (VOCA)
Victim Assistance Formula Grant Program



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Grant Manual
Victims of Crime Act (VOCA)
Victim Assistance Formula Grant Program

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FOREWORD

This manual is for recipients of the Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program from the Office for Victims of Crime (OVC), Office of Justice Programs (OJP), U.S. Department of Justice (USDOJ). The Hawaii Department of the Attorney General is the State Administering Agency (SAA) for the grant.

The purpose of this manual is to provide:

- information on the policies and procedures for projects funded with VOCA program funds, and
- information on the program and fiscal responsibilities of the Grantee.

The Office for Victims of Crime (OVC), Office of Justice Programs, U.S. Department of Justice, has published program policy and administrative guidance for implementation of the formula grant program. This manual incorporates OVC guidance and describes state procedures and requirements for administering the funds.

Units of state and local governments and non-profit, non-governmental or faith-based victim service providers (Grantees) are advised to study the complete manual.

Since not all pertinent information can be furnished in a manual such as this, Grantee should consult their assigned specialist at the Grants and Planning Branch, Crime Prevention and Justice Assistance Division for answers to questions not specifically or adequately covered by this manual.

SECTION I. BACKGROUND INFORMATION

COMMONLY USED TERMS

ACRONYM/ABBREVIATION:	REFERS TO:
CPJAD	Crime Prevention and Justice Assistance Division
C.F.R. or CFR	Code of Federal Regulations
Department	Hawaii Department of Attorney General
DOJ	Federal Department of Justice
Grantee	Public agency or non-profit organization which has entered into a contract with the Department of the Attorney General to provide services to crime victims.
OJP	Federal Office of Justice Programs
OVC	Federal Office for Victims of Crime
OVW	Federal Office on Violence Against Women
RFP	Request for Proposals under Hawaii Revised Statutes Chapter 103F
SAA	State Administering Agency
SPO	State Procurement Office
Subaward	An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.
Subgrantee or Subrecipient	An entity that has a formal relationship with the grantee or primary grant recipient that it receives funds from. This relationship may be established through an MOU, a contract, or a competitive grant process.
VOCA	Federal Victims of Crime Act

A. STATUTORY AUTHORITY

The statutory authority for the guidance of the VOCA Victim Assistance Formula Grant Program:

1. The Victims of Crime Act of 1984, Public Law 98-473 as amended, and codified at 34 U.S.C. 20103 (a) and (b), authorized the crime victim assistance grant program (VOCA); and
2. The Victims of Crime Act Victim Assistance Program Rules (VOCA Rules), 28 C.F.R. Part 94, Subpart B (VOCA Rules), effective July 8, 2016.

B. PURPOSE OF FORMULA GRANT FUNDS

The purpose of the Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program is to provide federal financial assistance to states to support the provision of services to victims of crime throughout the nation. The VOCA grant is administered by the Office for Victims of Crime (OVC), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), which distributes funds to the states by formula. The Department of the Attorney General, Crime Prevention and Justice Assistance Division (CPJAD) is the State Administering Agency (SAA) for the VOCA grant.

A “crime victim” is defined under 28 C.F.R. § 94.102 as “a person who has suffered physical, sexual, financial or emotional harm as a result of the commission of a crime.” Services are defined as those efforts that:

1. Respond to the emotional, psychological, and physical needs of victims;
2. Assist victims to stabilize their lives after victimization;
3. Assist victims to understand and participate in the criminal justice system; and
4. Restore a measure of security and safety for the victim.

In addition, under 34 U.S.C. §20103(d)(2), the following are examples of direct services:

1. Crises intervention services;
2. Provision of, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures;
3. Assistance in participating in criminal justice proceedings; and
4. Provision of sexual assault forensic medical exams as requested by the crime victim and at no cost to the victim regardless if a police report is made.

C. ELIGIBLE APPLICANTS

The SAA is required to ensure that the following conditions or requirements are met:

- a. Grantee shall be operated by a public agency or a non-profit organization and provide direct services to crime victims. A non-profit applicant shall certify that it is a non-profit organization eligible to receive federal funds.
- b. Grantee shall demonstrate a record of providing effective services to crime victims. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from sources other than the Crime Victims Fund.
- c. Grantee shall demonstrate that it is capable of providing matching contributions of 20 percent (20%) – cash or in-kind – of the total cost of each VOCA project, i.e., VOCA grant plus match, from non-federal sources. All funds designated as match funds are restricted to the same uses as the VOCA grant funds and shall be expended within the grant period. If meeting the 20% match requirement will cause significant financial hardship, the Grantee may request a partial or full waiver of the match requirement. Match waivers are granted on a case-by-case basis by CPJAD and are not guaranteed. See page 6, Funding, Program Match Requirement.
- d. Grantee shall use volunteers unless CPJAD determines there is a reason to waive this requirement. Request for waivers shall be in writing to CPJAD and supported by appropriate documentation.
- e. Grantee shall assist victims in applying for victim compensation benefits. The assistance may include but is not limited to identifying crime victims and advising them of the availability of such benefits, referring victims to organizations that can provide such assistance, and/or assisting such potential victims with application forms and procedures.
- f. Grantee shall comply with the applicable provisions of VOCA, the applicable Rules, and the requirements of the most current edition of the Department of Justice Grants Financial Guide, which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of the VOCA funds received. In addition, the Grantee shall develop and maintain fiscal, statistical, and administrative records pertaining to the services as specified by CPJAD.
- g. Grantee shall comply with the non-discrimination laws and shall, within the timetable established by CPJAD, maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability. In addition, the Grantee shall permit reasonable access to books, documents, papers, and records to determine whether the Grantee is complying with applicable civil rights laws. This requirement is waived when providing a service where soliciting the information may be inappropriate or offensive to the crime victim.

- h. Grantee shall provide services to victims of federal crimes on the same basis as victims of state/local crimes.
- i. Grantee shall provide services to crime victims at no charge through the VOCA-funded project. Any deviation from this provision requires prior approval from CPJAD.
- j. Grantee shall provide services to crime victims regardless of the victims' participation in the criminal justice process.
- k. Grantee shall maintain the confidentiality of client-counselor information as required by state and federal law.
- l. Grantee shall reasonably protect the confidentiality and privacy of the person receiving VOCA funded services and shall not disclose, reveal, or release any personally identifiable information or individual client information, without the informed, written, and reasonably time-limited consent of the individual. If the release of information is compelled by statute or court, Grantee shall make reasonable attempts to provide notice to the individual affected by the disclosure and take reasonable steps necessary to protect privacy and safety. Grantee shall inform CPJAD no later than 12 hours after an occurrence of an actual breach or detection of an imminent breach of personally identifiable information.
- m. Grantee shall abide by any additional eligibility or service criteria as established by CPJAD.

Furthermore, as a recipient of VOCA funds, Grantee understands that VOCA law does not allow extensions to the project period of the VOCA award.

Grantee may contract with another organization or agency to carry out all or part of the approved program with prior approval of CPJAD. See page 12, Monitoring of Subrecipients.

As a requirement to receiving the VOCA funds, Grantee must be registered with the System for Award Management (SAM) and maintain active status throughout the duration of the project period. Grantee must also have a valid Data Universal Numbering System (DUNS) number. Non-profit organizations must submit a Certificate of Liability Insurance demonstrating adequate insurance coverage, which meets the requirements established by the State Comptroller. Non-profit organizations shall also meet the General Conditions for Health and Human Services contracts.

D. FUNDING

The Crime Victims Fund, established by the Victims of Crime Act (VOCA) of 1984, and administered by the U.S. DOJ, OVC, is a major funding source for victim services throughout the nation. The Fund is financed by criminal fines, forfeited bail bonds,

penalties, and special assessments collected by U.S. Attorneys' Offices, federal U.S. courts, and the Federal Bureau of Prisons. Victim funds are not appropriated by Congress, and they are not tax dollars.

Conduit System. VOCA funds to support victim services in Hawaii's four counties are awarded through a conduit system. Funds are subgranted to each county Prosecutor's Victim Witness (VW) unit, which in turn may subgrant funds to non-profit organizations to fill service gaps in their jurisdiction. The conduit system ensures that VOCA priorities and victim assistance services are met on the local level.

Request for Proposals (RFP). A competitive Request for Proposals (RFP) is issued annually to award VOCA funds to support victim services in Hawaii. Funds are awarded to government and non-profit victim service providers. The RFP is issued under the provisions of the Hawaii Revised Statutes (HRS) Chapter 103F and its administrative rules.

Priority Areas. Priority shall be given to services provided to victims of sexual assault, domestic abuse, and child abuse. A minimum of 10% of the total grant award to the state will be allocated to each of these categories of crime victims.

An additional 10% of the total grant award to the state will be allocated to underserved populations which encompass a variety of considerations, demographic types, crime/victimization type, and geography.

The following groups are designated as "underserved populations":

Victims with disabilities; elderly victims; immigrant victims and victims with Limited English Proficiency (LEP); Lesbian, Gay, Bisexual, Transgendered, Queer and Questioning ("LGBTQQ") victims; Native Hawaiian victims; tourist/visitor victims; homeless victims; youth victims aging out of the foster care system; youth offenders who are also victims; victims with substance abuse and/or mental health issues; victims residing in rural or geographically isolated areas; victims of sex trafficking; victims of violent property crimes; and survivors of homicide and negligent homicide victims.

Program Match Requirement. Matching contributions of 20% (cash or in-kind) of the total cost of each VOCA project (VOCA plus match) must be derived from non-federal sources.

Example:

Federal Award Amount / 4 = Match Amount

Total Project Amount (federal plus match) x .8 = Federal Amount

Total Project Amount x .2 = Match Amount

Example – 20% Match Calculation

The Grantee requested \$200,000 in VOCA Grant funding. The Grantee must provide \$50,000 from non-federal sources in matching contribution. That contribution must be expended by the end of contract period. The matching contribution is calculated by dividing the total VOCA funding by four:

$$\begin{array}{rcl} \text{VOCA Grant} & = & \$ 200,000 \\ \text{Matching Contribution} & = & \$ 50,000 (= \$200,000/4) \\ \text{Total Project Cost} & = & \$ 250,000 \end{array}$$

If meeting the 20% match requirement will cause significant financial hardship, Grantee may request a partial or full waiver of the match requirement. Match waivers are granted on a case-by-case basis by CPJAD and are not guaranteed. Match waivers are entirely at the discretion of CPJAD but typically CPJAD considers factors such as local resources, annual budget fluctuations, past ability to provide a match, and whether funding is for new or additional activities requiring additional match versus continuing activities where match is already provided. Requesting a Match Waiver may result in a delay in the awarding of funds due to additional processing time associated with CPJAD's approval process.

A request for a Match Waiver must be submitted with the RFP application.

SECTION II. AWARD AND CONTRACTING PROCEDURES

APPLICATION TO CONTRACT FLOWCHART

(1)

**Grantee submits application.
Application is selected for funding.**

(2)

**Grantee receives award letter from
the Department of the Attorney General, CPJAD.**

(3)

If instructed, Grantee submits revised application to CPJAD.

(4)

CPJAD reviews the revised application.

If the application is not approved, the assigned specialist notifies the Grantee as to what changes are needed.

(5)

CPJAD approves the application and prepares the Contract.

CPJAD attaches the application (Parts I to III and Part IV – Attachments – certifications & assurances), marked as “Exhibit A”, to the Contract.

(6)

CPJAD sends the Contracts (2 originals) to the Grantee for signing.

The number of signatures that are required differs between state, county, and non-profit agencies and may take a few weeks. Monitor the contract’s whereabouts to avoid unnecessary delays.

(7)

Grantee returns the signed Contracts to CPJAD

CPJAD forwards the contracts to the Administration Division for legal review.

(8)

Administration Division approves Contract to form.

(9)

Contract is sent to the Attorney General for signing.

(10)

Contract is executed.

(11)

CPJAD keeps a Contract and the other Contract is sent to Grantee.

(12)

Grantee can begin project activities.

SECTION III. ADMINISTRATIVE AND FISCAL REQUIREMENTS

Grantee should become familiar with the administrative and fiscal conditions applicable to the VOCA grant. Failure to comply with these conditions may result in the denial, reduction, or termination of funding. Grantee must comply with the provisions of the effective edition of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in guidance 2 C.F.R. Part 200, and the Department of Justice “Grants Financial Guide.” Grantee may call the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1-800-458-0786 for additional copies or download the Guide directly from <http://ojp.gov/financialguide/DOJ/>. OCFO periodically revises the Financial Guide and issues changes which are also available on-line.

Contact your assigned specialist if you have any questions or concerns. If you do not know the name and phone number of the assigned specialist, call CPJAD at (808) 586-1150. CPJAD assigned specialists also conduct grant orientations with first time project directors and upon request.

A. ADMINISTRATIVE CONDITIONS

All grants are subject to, and incorporate by reference, the following general conditions:

A.1.0. Project Self-Assessment

To assist with monitoring and oversight of projects, Grantee is required to complete the Project Self-Assessment form (Appendix C, AG/CPJAD #32). Upon contract execution, the assigned specialist will forward a copy of the form to the project director. The project director will have three weeks to complete and return the form to CPJAD.

A.2.0 Delayed Projects

Grantee is responsible for proceeding with as little delay as possible in commencing its grant project.

If the project has not begun within 30 days following the execution of the contract, the Grantee shall report in writing to CPJAD the reasons for the delay, the steps being taken to initiate the project, and the anticipated starting date.

If after an additional 60 days, the project is still not operational; a further statement outlining reasons for the additional delay shall be submitted to CPJAD. CPJAD Administrator may, at his/her discretion, determine such delay to be excessive, cancel the grant authorization, and reallocate the funds to other projects.

A.3.0 Reporting Requirements

A.3.1 Subgrant Award Report (SAR)

The information for a SAR is due from the Grantee within 14 days following

contract execution. Grantees with subrecipient contracts shall also submit a SAR for each funded non-profit agency within 14 days following contract execution with the non-profit agency, but no later than 90 days following the contract execution with the Department.

A.3.2 Subgrant Data Report - Performance Measurement Reports (PMT)

Grantee agrees to submit, and, as applicable, require subrecipients to submit, performance reports on the performance metrics identified by the Office for Victims of Crime (OVC) on a quarterly basis at <https://www.ovcpmt.org>.

A reporting period represents the time when activities occur and data was collected. The on-line reporting system requires users to have their own unique UserID and Password to log on. Additional instruction on creating a unique PMT user account is provided by CPJAD after the contract is executed.

The reporting periods and due dates are:

1 st Quarter	October 1 – December 31	due January 15
2 nd Quarter	January 1 – March 31	due April 15
3 rd Quarter	April 1 – June 30	due July 15
4 th Quarter	July 1 – September 30	due October 15 *

**The October 15 due date will include the 4th Quarter PMT with the Grantee's annually reported outcome questions and responses, and the Grantee Report (Narrative).*

A.3.3 Grantee Report (Narrative)

The purpose of the Grantee Report is to collect qualitative data from Grantee for the reporting period of October 1 – September 30. The Grantee Report (Narrative) is completed in addition to the 4th Quarter PMT. A hardcopy of the Grantee Report must be submitted to CPJAD by **October 15**.

A.3.4 Performance Outcomes Report (POR)

Grantee is required to report their progress towards accomplishing the goals and objectives listed in the Grantee's contract, twice per year.

The POR reporting periods and due dates are:

1 st Report	July 1 – December 31	due January 15
2 nd Report	January 1 – June 30	due July 15

A.4.0 Project Activities

Grantee must complete all project activities during the project period. The project's start and end dates are listed on the contract and Application for Grant, Part. I. Title Page.

A.5.0 Project Supplies and Equipment Inventory/Title to Property

An inventory of equipment and supplies purchased during the project period must be maintained. The inventory should include a list of all the equipment and unused supplies purchased, the cost, and identification numbers, as applicable. If a project has received more than one award, a cumulative inventory of equipment should be kept.

The Certification for Title to Property (Appendix C, AG/CPJAD #13) with an inventory of personal property purchased shall be submitted no later than 60 days after project end date.

A.6.0 Project Revisions

Grantee shall submit a written request to CPJAD to revise any aspect of the project. Changes may be requested in writing by Grantee up to 45 days before the project end date. Project revisions include, but are not limited to, revising the budget, revising the objectives, or changing the project director/fiscal officer. Project revisions are reviewed and approved by CPJAD's Grants and Planning Branch Chief. To revise the project's:

Description (goal, objectives, activities, evaluation): Grantee is to submit to CPJAD a written request and explanation that includes the revised Application for Grant, Part II. Description of the Project.

Budget: Grantee is to submit to CPJAD a written request and explanation that includes the revised Application for Grant, Part III. Budget Detail and Explanation. For additional information, refer to B.8.0 Modification of Approved Budget.

Other: Grantee is to submit to CPJAD any changes to program staff, including but not limited to the Project Director or Fiscal Officer. The request shall include the name of the new staff member, their title, and contact information (phone and email).

To decrease, or in a few cases, increase the contracted amount, a supplemental agreement to amend the contract will be executed. If a supplemental agreement is required, then the assigned specialist will work with Grantee through the process. No oral modification, alteration, amendment, change, or extension of any term, provision, or condition of the contract shall be permitted.

A.7.0 Press Releases, Printed Materials, Publications

Print or electronic promotional materials concerning an OVC-funded project that are intended for public dissemination requires prior approval. Grantee must submit a publication and distribution plan to CPJAD for approval, 45 days before any materials that have been developed under an award are commercially published or distributed.

- The plan must include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and – to assure reasonable competition – the identification of firms that will be approached.
- Grantee must obtain prior approval from CPJAD of this plan for publishing project activities and results when it uses Federal funds to pay for the publication.

Grantees producing publications or multi-media products, such as videos, must follow requirements set forth in the OVC Publishing Guidelines (<https://ojp.gov/ovc/publications/infores/pubguidelines/issues.html>) that describe a set of requirements Grantees and publishing contractors must follow when submitting materials to CPJAD to be published.

All publications and videos must include the following statement:

This product was produced by (agency) and supported by grant number (federal grant number) awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice through the State of Hawaii Department of the Attorney General. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the State of Hawaii Department of the Attorney General or the U.S. Department of Justice.*

(*) Grantee should contact the assigned specialist for the federal grant number.

A.8.0 Copyright

CPJAD shall have complete ownership of all material both finished and unfinished, which is developed, prepared, assembled, or conceived by the Grantee pursuant to this Contract, and all such material shall be considered “works made for hire.” No summary, report, map, chart, graph, table, study or other documents or discovery, invention, or development produced in whole or in part with funds made available under this grant shall be in subject of an application for copyright or patent by or on behalf of Grantee, its officers, agents, or its employees, or its subcontractors without prior written authorization from CPJAD. To the extent that any material, summary, report, map, chart, graph, table, study, or other documents, or discovery, invention, or development under this grant is not recognized as a “work made for hire” as a matter of law, Grantee hereby assigns to CPJAD any and all copyrights in and to the material.

A.9.0 Monitoring Subrecipients

If applicable, Grantee agrees to monitor subrecipients in accordance with all applicable statutes, regulations, Office of Management and Budget (OMB) circulars, and guidelines, including the DOJ Grants Financial Guide. Grantee is responsible for oversight of subrecipient's spending and monitoring of specific outcomes and benefits attributable to use of VOCA funds by subrecipients. Grantee agrees to submit, upon request, documentation of its policies and procedures for monitoring of subrecipients under this award.

A.10.0 Assurances and Certifications

A.10.1 General Conditions

The Office of Justice Programs requires that CPJAD pass down certain requirements and provisions to Grantees. Grantee must complete the "Acceptance of Conditions" (Appendix B, AG/CPJAD #14 VOCA) that is attached to the contract.

A.10.2 Acceptance of VOCA Special Conditions

OVC requires that CPJAD pass down certain requirements and provisions related to the VOCA Victim Assistance Grant to all Grantees. Grantee must complete the appropriate. "Acceptance of VOCA Special Conditions" (Appendix B, AG/CPJAD #26 VOCA) that is attached to the contract.

A.10.3 Non-Supplanting

Federal funds may not be used to replace state or local funds that would, in the absence of Federal assistance, be available or forthcoming for criminal justice or victim service agencies. Instead, Federal funds must be used to increase the total amount of such other funds Grantee agency uses.

Grantee may not use Federal grant funds to defray any costs that Grantee is already obligated to pay. For example, if a Grantee, prior to applying to participate in the grant program, had committed to purchase 10 new computers for crime analysis, then Grantee must purchase those 10 computers in addition to any computers requested for the grant program.

Grantee must complete the "Certification of Non-Supplanting" (Appendix B, AG/CPJAD #3) that is attached to the contract.

A.10.4 Drug-Free Workplace

If Grantee is a state agency, Grantee must complete the "Certification Regarding Drug-Free Workplace Requirements" (Appendix B, AG/CPJAD #16). If

applicable, the certification is attached to the contract.

A.10.5 Debarment, Suspension, Ineligibility, and Voluntary Exclusion

Grantee must complete the “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions” (Appendix B, OJP Form 4061/1) that is attached to the contract.

A.10.6 Lobbying

The Anti-Lobbying Act (18 U.S.C. § 1913) was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352.

Grantee must understand that no federally appropriated funding made available under OJP grant programs may be used, either directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express approval by OJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of existing OMB regulations.

Grantee with projects that total \$100,000 or more (per project) must complete a “Certification Regarding Lobbying.” (Appendix B, AG/CPJAD #22). If applicable, the certification is attached to the contract.

A.10.7 Civil Rights

All organizations that receive Federal funds are subject to prohibitions against discrimination in the provision of services under a program or in their employment practices.

a. Non-Discrimination

No person shall, on the grounds of race, religion, color, national origin, sex, or disability, English proficiency, or age be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this title. Grantee will comply with:

The Omnibus Crime Control and Safe Streets Act of 1968, as amended,

which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in OJP, COPS, and OVW funded programs or activities. (34 U.S.C. § 10228 and 28 C.F.R. §42.201 et seq.);

Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 2000d and 28 C.F.R. §42.101 et seq.);

Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP, COPS, and OVW funded programs or activities. (29 U.S.C. § 794 and 28 C.F.R. § 42.501 et seq.);

Section 1407 of the Victims of Crime Act (VOCA), which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities. (34 U.S.C. § 20110);

Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 12132 and 28 C.F.R. Pt. 35);

Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP, COPS, and OVW funded training or educational programs. (20 U.S.C. § 1681 and 28 C.F.R. Pt. 54); and

The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP, COPS, and OVW funded programs or activities. (42 U.S.C. § 6102 and 28 C.F.R. § 42.700 et seq.)

Executive Order 13166, 65 Fed. Reg. 50121(2000) and the 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 Fed. Reg. 41455 (2002) is the obligation that grantees of Federal financial assistance provide meaningful access to funded programs and activities for persons with limited English proficiency (LEP). Additional information on LEP is available on-line at www.lep.gov.

Executive Order 13279 and Executive Order 13559 regarding equal protection of the laws for faith-based organizations (28 C.F.R pt. 38); The Equal Treatment Regulation provides in part that Department of Justice grant awards of funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. The grantee may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals

receiving services from the grantee or a Sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in funding by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.

The Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, 127 Stat. 54 § 3(b)(2013) which prohibits excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part with funds made available through VAWA or the Office on Violence Against Women.

These grant conditions shall not be interpreted to require the imposition in Grantee programs of any percentage ratio, quota system, or other program to achieve racial balance or eliminate racial imbalance in a law enforcement agency or victim service program. The Office of Justice Programs reserves the right to seek judicial enforcement to insure compliance with the foregoing conditions. Grantee must complete the "Certification of Non-Discrimination" (Appendix B, AG/CPJAD #15) that is attached to the contract.

b. Equal Employment Opportunity Plan (EEOP)

An EEOP is a comprehensive document that analyzes Grantee's relevant labor market data, as well as Grantee's employment practices, to identify possible barriers to the participation of women and minorities in all levels of Grantee's workforce. Its purpose is to ensure the opportunity for full and equal participation of men and women in the workplace, regardless of race, color, or national origin.

Title 28 of the Code of Federal Regulations (CFR), § 42.301 et seq; requires that governmental grantees of Federal funds or any private entity to which federal financial assistance is extended directly or through such government or agency, which have received \$25,000 or more in grants and have 50 or more employees must formulate, implement, and maintain a written Equal Employment Opportunity Plan (EEOP).

Grantee must certify that an EEOP is not required, that an EEOP has been formulated and is on file, or that an EEOP short form has been submitted to the Office for Civil Rights (Appendix B, "EEOP Certification", OMB Approval No. 1121-0340, Expiration Date 12/31/15). Non-profit organizations, educational institutions, Indian tribes, or medical

institutions are exempt from the EEOP requirement and should certify that the EEOP is not required. The certification is attached to the contract.

By OJP policy, state and local Grantees must submit an EEOP Short Form for review to the OJP Office for Civil Rights when receiving a single award of \$500,000 or greater. This does not apply to Grantees that are exempt from the EEOP requirement.

The number of employees refers to employees within the organization's entire workforce and not simply the number of employees within the unit directly responsible for the VOCA funded project.

Additional information on completing an EEOP is available on-line at <http://ojp.gov/about/ocr/eeop.htm>.

c. Procedures for Processing Complaints Alleging Violations of Federal Non-Discrimination Requirements

Grantee should have a non-discrimination complaint procedure/process in place, which includes the following:

- An identified coordinator who is responsible for overseeing the complaint process,
- A procedure to ensure that beneficiaries or employees are aware that they may complain of discrimination and to whom,
- A procedure to investigate the complaint,
- A procedure to notify the Department of the Attorney General, CPJAD of the complaint, and
- A procedure to notify the Department of the Attorney General and CPJAD of the findings of the investigation.

Grantee must complete the "Certification of Non-Discrimination Complaint Procedures" (Appendix B, AG/CPJAD #30) that is attached to the contract.

In the event that a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing, on the grounds of race, color, religion, national origin, sex, age, or disability against Grantee, Grantee shall forward a copy of the finding to OJP, Office for Civil Rights, and CPJAD.

Any individual or group who believes that it is aggrieved by the funded agency can file a complaint with the OJP, Office for Civil Rights, which investigates all individual complaints of discrimination filed against Grantees of funding from the Office of Justice Programs and its component organizations, Office for Victims of Crime, Office on Violence Against Women, and the Community Oriented Policing Services

Office. If voluntary compliance is not achieved, suspension or termination of funding may result.

A.10.8 10% De Minimis Indirect Cost Rate

The 2 CFR Part 200 Uniform Guidance allows for a 10% de minimis indirect cost rate if an agency has never received a federally approved indirect cost rate.

- The de minimis rate of 10% will be applied to the Modified Total Direct Costs (MTDC) which means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award).
- The MTDC will exclude equipment, capital expenditures, rental costs, and the portion of each subaward in excess of \$25,000. Other items will only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.
- The project costs will be consistently charged as either indirect or direct and will not be double charged or inconsistently charged as both.
- The Department of the Attorney General may perform an audit to ensure compliance with 2 CFR Part 200. If it is determined that Grantee is inconsistently charging costs, or not in compliance with 2 CFR Part 200, Grantee may be required to return grant funds.

If applicable, Grantee must complete the “Certification of 10% De Minimis Indirect Cost Rate” (Appendix B, AG/CPJAD #37), which will be attached to the contract. An “Indirect Cost Computation Worksheet” form (Appendix C, AG/CPJAD #40) is also required to be completed by Grantee.

A.10.9 Certification of Non-Profit Status

The Department of Justice, Office of Justice Programs, Office for Victims of Crime (OVC) requires non-profit organizations that receive Victims of Crime Act (VOCA) Assistance funding to certify their non-profit status.

Non-profit organizations that receive VOCA Victim Assistance funding must make its financial statements available online on a publicly available website. An organization that has Federal 501(c)(3) tax status will be considered to be in compliance with this requirement, with no further action needed, to the extent that such organization files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such statements.

If applicable, Grantee must complete the “Certification of Non-Profit Status” (Appendix B, AG/CPJAD #36), which will be attached to the contract.

A.10.10 National Environmental Policy Act (NEPA)

Grantee understands that all OJP awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 et seq.) and other Federal laws (including the National Historic Preservation Act), if applicable. Grantee agrees to assist OJP in carrying out its responsibilities under NEPA and related laws, if the Grantee plans to use VOCA funds (directly or through subaward or contract) to undertake any activity that triggers these requirements, such as renovation or construction. (See 28 C.F.R. Part 61, App. D.) Grantee also agrees to comply with all Federal, state and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

A.11.0 Termination of Aid

Project may be terminated, or payments discontinued by CPJAD where it finds a substantial failure to comply with the provisions or regulations of the grant, including these grant conditions, or plan, or application obligations. The Department has the right to terminate the contract with a Grantee by giving written notice of such termination (10) calendar days before the effective date of such termination, or without a statement of cause at any time by giving written notice to a Grantee of such termination at least 30 calendar days before the effective date of such termination.

A.12.0 Grant Closeout Procedures

The project director, in concert with CPJAD assigned specialist, is responsible for all detailed actions and controls necessary for timely accomplishment of the grant closeout process.

The final fiscal reports must be received by CPJAD within 60 days after the date the contract terminates, unless mandated earlier by CPJAD.

The required Grantee documents which must be completed are: Subgrant Award Report (SAR), Subgrantee Data Report - Performance Measurement Tool (PMT), final Request for Funds (RFF) and Cash Balance Report, final Project Expenditures and Obligations (PEO) Report, Grantee Report (Narrative Report), and Certification for Title to Property (if applicable),

A.13.0 Retention and Access Requirement of Records

Project files, including all pertinent programmatic and financial documents relating to the project, must be retained for at least three years after the Federal award between OVC and the Department of the Attorney General is closed. Documentation includes all books of original entry, source documents* supporting accounting transactions, the general ledgers, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records. Financial records shall be retained by Grantee and shall be accessible to CPJAD and the United States Department of Justice for at least three years

after CPJAD's grant with OVC is closed. Grantee is to contact CPJAD before destroying any project files and project related documents.

(*) Source documents include copies of all awards, applications, and required Grantee financial and narrative reports. Personnel and payroll records shall include the time and activity reports for all individuals paid under the project, whether they are employed full-time or part-time. Time and activity reports are also required for consultants and volunteers.

The Department of Justice, Office for Victims of Crime, Office of the Inspector General, OJP Office of the Chief Financial Officer, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of Grantee which are pertinent to the award, in order to make audits, examinations, excerpts, and transcripts.

B. FISCAL CONDITIONS

Grantee shall comply with the financial and administrative requirements set forth in 2 CFR Part 200 and the current edition of the Department of Justice (DOJ) Grants Financial Guide (refer to page 8 for additional information on obtaining a copy). Not all of these requirements and conditions are included in this document; however, in general, CPJAD grants are subject to and incorporate by reference, the following fiscal requirements and conditions:

B.1.0 Purpose

Federal funds may be expended only for the purposes and activities specified in Grantee's approved plan and budget.

If a Grantee materially fails to comply with the terms and conditions of an award, CPJAD may take one or more of the following actions, as appropriate in the circumstances.

- Temporarily withhold payments pending correction of the deficiency by Grantee.
- Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
- Wholly or partly suspend or terminate the current award.
- Withhold further awards for the project or program.
- Take other remedies that may be legally available.

B.2.0 Project Period

The project director can work with the assigned specialist to select a project start date. Most projects start July 1 of the appropriate year. For projects receiving continuation funding, the project period should run consecutively with the prior contract. Once a contract is executed, the project start date cannot be modified. The project end date will be June 30 of the appropriate year, unless an earlier end date is agreed to by the project

director and CPJAD.

No extensions of the project period are permitted under VOCA.

B.3.0 Non-Supplanting

Federal funds may be used only to supplement and not supplant local funds otherwise available for law enforcement, criminal justice, and victim service programs (Refer to A.9.2 for more information).

B.4.0 Match Requirement

The federal share of a grant made under VOCA funds may not exceed 80 percent of the total project costs. Twenty percent of the project cost must be provided by a non-Federal cash or in-kind match.

In-kind match may include donations of expendable equipment, office supplies, workshop or classroom materials, work space, or the monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor, if the services they provide are an integral and necessary part of a funded project. The value placed on loaned or donated equipment may not exceed its fair rental value. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market. Fringe benefits may be included in the valuation. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by Grantee for its own employees. The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in the same locality. The basis for determining the value of personal services, materials, equipment, and space must be documented. Matching funds are subject to the same conditions as the federal funds.

If meeting the 20% match requirement will cause significant financial hardship, the Grantee may request a partial or full waiver of the match requirement. Requests for the Match Waiver must be made at the time of the RFP application. For more information on Match Waivers, see page 6, Program Match Requirement.

B.5.0 Use of Funds

B.5.1 Allowable Costs

The following is a list of services, activities, and costs that are allowable and eligible for support with VOCA Grant funds under the VOCA Guidelines:

a. Immediate Health and Safety

Services that respond to immediate safety, emotional, psychological, and physical (excluding medical care) needs of crime victims, such as crisis

interventions; accompaniment to hospitals for medical examinations; hotline counseling; safety planning; emergency food, clothing, transportation and shelter; short-term¹ nursing home, adult foster care or group-home placement for victims for whom no other safe, short-term residence is available; window, door, or lock replacement or repair and other repairs necessary to ensure a victim's safety; immediate medical costs when crime victim compensation or health insurance is not readily available to quickly meet the needs of the victim, including medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment such as wheelchairs, crutches, hearing aids, eyeglasses, and other healthcare items; and emergency legal assistance, such as filing for restraining or protective orders and visitation rights.

b. Personal Advocacy and Emotional Support

Services that include, but are not limited to, working with a victim to assess the impact of the crime; identification of the victim's needs, resources available to the victim, and the provision of information, referrals, and advocacy; case management; management of practical problems created by the victimization; and traditional, cultural, and/or alternative therapy healing (e.g., art therapy, yoga), if these costs serve a programmatic purpose and are supported by evidence-based and trauma-informed or therapeutic standards².

c. Mental Health Counseling and Care

Mental health counseling and care, including but not limited to, outpatient therapy/counseling, and substance-abuse treatment (as long as it is directly related to the victimization), provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered.

d. Peer Support

Activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information and emotional support.

e. Facilitation with Participation in Criminal Justice and Other Public Proceedings Arising from the Crime

¹ "Short-term" for home care and nursing home, adult foster or group-home care is defined in 28 C.F.R §119(a)(7) as up to 45 days.

² Note that costs for these services are required to comply with the DOJ Financial Guide, Section 3.13 which states "Entertainment, including amusement, diversion, social activities, and any associated costs (i.e. tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable. Certain exceptions may apply when such costs have a programmatic purpose and have been approved by the awarding agency."

The provision of services and payment of costs that help victims participate in criminal justice and other public proceedings arising from the crime (e.g., juvenile justice hearings, civil commitment proceedings), including but not limited to advocacy on behalf of the victim; accompanying a victim to offices and court; transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding; interpreting for a non-witness victim who is deaf or hard of hearing; providing child care and respite care to enable a victim who is a caregiver to attend activities related to the proceeding; notification to victims regarding key proceeding dates; assistance in recovering property that was retained as evidence; and assistance with restitution advocacy on behalf of crime victims.

f. Legal Assistance

Legal assistance, other than criminal prosecution and defense and tort actions, where reasonable and where the need for such services arises as a direct result of the victimization.

g. Forensic Medical Evidence Collection Examinations

For sexual assault victims, forensic exams are allowable costs only to the extent that other funding sources are unavailable or insufficient, and such exams conform to state evidentiary collection requirements.

h. Forensic Interviews

Forensic interviews, provided that (1) the results of the interviews will be used not only for law enforcement and prosecution purposes, but also for identification of needs, such as social services, personal advocacy, case management, substance abuse treatment, and mental health services; (2) interviews are conducted in the context of a multi-disciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center; and (3) the interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.

i. Transportation

Transportation of victims to receive services and to participate in criminal justice proceedings.

j. Public Awareness and Education Presentations

Presentations, including the development of presentation materials; public service announcements in schools, community centers, and other public forums, that are designed to inform crime victims of specific rights and services and provide them with or refer them to services.

k. Transitional Housing

Transitional housing, including but not limited to, travel, rental assistance, security deposits, utilities, and other costs incidental to the relocation to such housing, as well as voluntary support services such as childcare and counseling.

l. Relocation

Relocation costs, including but not limited to, reasonable moving expenses, security deposits on housing, rental expenses, and utility startup costs.

VOCA Grant funds may also support activities related to providing direct services. Those costs include, but are not limited to the following:

m. Coordination of Activities

Including, but not limited to, State-wide coordination of victim notification systems, crisis response teams, multi-disciplinary teams, coalitions to support and assist victims, and other such programs, and salaries and expenses of such coordinators.

n. Supervision of Direct Service Providers

Payment of salaries and expenses of supervisory staff in a project, when the CPJAD determines that such staff are necessary and effectively facilitate the provision of direct services.

o. Multi-System, Interagency, Multi-Disciplinary Response to Crime Victim Needs

Activities that support a coordinated and comprehensive response to crime victim needs, including but not limited to, payment and expense of the direct service staff serving on child and adult abuse multi-disciplinary investigation and treatment teams, coordination with federal agencies to provide services to federal crime victims, and participation on state or local task forces, or work groups, and committees to develop protocols and interagency and other work agreements.

p. Professional Services

Professional services such as psychological/psychiatric consultation, legal services, and interpreters, not to exceed a reasonable market rate, that are not available in-house³.

q. Automated Systems and Technology that Support Delivery of Direct Services

Including automated information and referral systems, email systems that allow communication among victim service providers, automated case-tracking and management systems, smartphones, computer equipment and victim notification systems, personnel, hardware, and other items, subject to the DOJ Financial Guide and relevant laws relating to the acquisition, use, and disposition of property purchased with federal funds. CPJAD will consider the following factors described in the VOCA Rules, and other considerations, in allowing such systems and technology: (1) whether the system will enhance direct victim services; (2) how any acquisition will be integrated into and/or enhance the program's current system; (3) the cost of installation; (4) the cost of training staff to use the system or technology; and (5) how additional costs relating to such acquisition will be supported.

r. Volunteer Training

Activities in support of training volunteers on how to provide direct services when such services will be provided primarily by volunteers.

s. Restorative Justice

Activities in support of opportunities for crime victims to meet with perpetrators where there is demonstrated beneficial or therapeutic value to victims, subject to review and approval by CPJAD⁴.

VOCA Grant funds may also support administrative costs if they are directly related to providing direct services to victims. These costs include, but are not limited to the following⁵:

3 An applicant may request rates above the federal consultant rate of \$81.25/hr. or \$650 a day, if the compensation for consultant services is reasonable and consistent with that paid for similar services in the marketplace. The request must be in writing and accompanied by 1) explanation of the need for the increased rate; 2) documentation of the current market value for the service, including a market analysis and justification for the proposed rate; and 3) the credentials of the proposed consultant. Resources to determine current market values may consist of competitive contract bids or the Bureau of Labor Statistics Wage by Area and Occupation website, www.bls.gov/blswage.htm. Requests are considered on a case by case basis.

4 The considerations listed in 28 C.F.R §94.120 are required to be addressed if the Grantee is requesting these services for VOCA funding.

5 For more examples of these administrative costs, refer to 28 C.F.R. §94.121.

t. Personnel Costs

Personnel costs that are directly related to providing direct services and supporting activities, including staff and coordinator salaries and fringe benefits and a prorated share of liability insurance.

u. Skills Training for Staff

Training exclusively for developing skills of direct service providers, including staff and volunteers (both VOCA-funded and not), so they are better able to offer quality direct services, including manuals, books, video conferencing, electronic training resources, and other materials and resources related to such training.

v. Training-Related Travel

Training-related travel costs for paid direct service staff, including airfare, meals and lodging, for intra-state and out-of-state travel.

w. Organizational Costs

Costs that are necessary and essential to providing direct services and other allowable victim services, including, but not limited to, the prorated costs of rent; utilities; local travel for service providers; and required minor building adaptations necessary to meet the Department of Justice standards implementing the Americans with Disabilities Act and/or modifications that would improve the program's ability to provide services to victims.

x. Equipment and Furniture

Equipment and furniture that facilitate the delivery of direct services, on a prorated basis if the item is not used exclusively for the VOCA project, including mobile communication devices, telephones, Braille and TTY/TTD equipment, computers and printers, beepers, video cameras and recorders for documenting and reviewing interviews with children, two-way mirrors, digital cameras, equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas.

y. Operating Costs

Including but not limited to supplies; equipment use fees; property insurance; printing, photocopying and postage; courier service; brochures that describe available services; books and other victim-related materials; computer backup files/tapes and storage; security systems; design and

maintenance of websites and social media; and essential communication services, such as web hosts and mobile device services.

z. VOCA Administrative Time

Personnel cost for VOCA-funded staff performing administrative duties, including time spent on completing VOCA required time and activity sheets and programmatic documentation, reports and statistics; collecting and maintaining crime victims' records; conducting victim satisfaction surveys and needs assessments to improve victim services delivery for the project; or funding the prorated share of audit costs.

aa. Leasing Vehicles

Costs of leasing vehicles, provided that the following CPJAD requirements are met: (1) that public or other transportation are not practical; (2) use of the vehicle is limited to transportation of victims; (3) the Grantee has a method of documenting the use of the vehicle by staff, date, time, beginning and end destinations traveled, and mileage per trip; and (4) other information as required by the CPJAD.

bb. Maintenance, Repair, or Replacement of Essential Items that Contribute to a Healthy and Safe Environment for Victims

Costs of maintenance, repair, and replacement of items that contribute to maintenance of a healthy or safe environment for crime victims such as: (1) furnace in a shelter and (2) routine maintenance, repair costs and automobile insurance for leased vehicles; as determined by CPJAD after considering, at a minimum, if other sources of funding are available.

cc. Project Evaluations to Determine Project Effectiveness

Costs of evaluations of specific projects to determine their effectiveness, within the limits set by CPJAD.

dd. Indirect Costs

Indirect costs are the costs of an organization that are not readily assignable to a particular project but are necessary to the operation of the organization and the performance of the project. Such costs are generally identified with the organization's overall operation and are further described in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements"). The cost of operating and maintaining

facilities, depreciation, and administrative salaries are examples of indirect costs.

For more information on the Part 200 Uniform Requirements, see 2 C.F.R. §200.414 and the DOJ Financial Guidelines §3-11.

Grantee may be permitted an allocation in their budget for indirect costs under one of the following:

1) Grantee has a current federally approved indirect cost rate agreement.

If the Grantee has a current federally approved indirect cost rate agreement in place, the Grantee may include an allocation for indirect costs. Grantee is required to provide a copy of their federally approved indirect cost rate agreement.

2) Grantee does not have a federally approved indirect cost rate agreement.

If the Grantee does not have a federally approved indirect cost rate, the Grantee may include a 10% de minimis rate; §2 CFR 200.414(f) provides for this type of rate:

Any non-Federal entity that has never received a negotiated indirect cost rate, (except for those non-Federal entities described in Appendix VII to Part 200 — States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph (d)(1)(B)) may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in §200.403, Factors Affecting Allowability of Costs, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. 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, which the non-Federal entity may apply to do at any time.

According to §200.68, MTDC is composed of the following:

MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards and subcontracts up to the first \$25,000 of each subaward or subcontract (regardless of the period of performance of the subawards and subcontracts under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward and subcontract

in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

After the Grantee completes the Indirect Costs Computation Worksheet (AG/CPJAD #40), the allowable costs mentioned above will be reviewed by CPJAD; if approved it will be made a part of Grantee's budget. **NOTE:** While an item may be an allowable cost under Federal guidelines, the state may establish guidelines or issue rulings that are more restrictive than Federal guidelines.

B.5.2 Unallowable Costs

The following is a non-exhaustive list of services, activities, and costs that are not supported with VOCA Grant funds:

a. Lobbying and Administrative Advocacy

VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.

b. Research and Studies

VOCA funds cannot be used for research and studies, except as under 28 CFR §94.121(j) of the VOCA Rules.

c. Active Investigation and Prosecution of Criminal Activities

VOCA funds cannot be used to pay for active investigation and prosecution of criminal activities, except for the provision of victim assistance services, including emotional support, advocacy, and legal services to crime victims during such investigation and prosecution.

d. Fundraising

VOCA funds cannot be used for fundraising, including any activity related to fundraising, except for fee-based or similar income allowed by CPJAD.

e. Capital Expenses

VOCA funds cannot be used for capital expenses, including capital improvements, property losses and expenses, real estate purchases, mortgage payments, and construction, except as specifically allowable under the VOCA Rules.

f. Compensation for Victims of Crime

VOCA funds cannot be used to reimburse crime victims for expenses incurred

as a result of a crime (e.g., insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and most medical costs), except as specifically allowable under the VOCA Rules.

g. Medical Care

VOCA funds cannot be used to pay for most medical care, except for forensic medical examination and emergency expenses allowed under VOCA Rules, 28 CFR §94.119.

h. Salaries and Expenses of Management

VOCA funds cannot be used to pay for the salaries and expenses of management, including salaries, benefits, fees, furniture, equipment, and other expenses of executive directors, board members, and other administrators, except as specifically allowable under the VOCA Rules.

B.6.0 Project Expenditures

B.6.1 Procurement of Goods and Services

Funds budgeted in the award to the Grantee for, among other purposes, the procurement of goods and services, shall be expended in strict compliance with applicable county, state, and Federal procurement requirements.

B.6.2 Equipment

The purchase or acquisition of equipment with Federal funds is allowable if the costs are a necessary part of an approved program.

B.6.3 Computer Equipment and Software (CES)

The purchase of computer equipment and software (CES) with Federal funds is allowable if the costs are a necessary part of an approved program.

The following procurement criteria must be met:

The CES type to be purchased is identified within the grant application and is necessary and sufficient to meet project goals.

If CES equipment procurement is to be sole source, Grantee has submitted adequate documentation to justify the action. (Refer to B.7.0 Sole Source for additional information).

Grantee has conducted a purchase/lease comparison demonstrating that it is more advantageous to purchase rather than lease the equipment under consideration, or

leasing is not allowed by the jurisdiction.

If software development is involved, it must be demonstrated that existing computer software already produced and available will not meet the needs of the Grantee.

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, Grantee must comply with the DOJ Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information or provide detailed justification for why an alternative approach is recommended.

B.6.4 Salaries, Wages, and Fringe Benefits

Payment of salaries and wages with Federal funds is permitted if the costs are a necessary part of an approved project. Grant-funded personnel are required to maintain daily time and activity reports (timesheets) whether they are employed full or part-time. The time and activity reports should include the name and position of the employee, date, hours worked, a description of the activities specific to the project, and any paid time off (i.e., holiday, vacation, etc.) the employee receives. If the employee is partially funded under VOCA, the time and activity report should include sufficient information on non-VOCA funded hours and activities to support the allocation of time and activities listed in the budget.

- Grant-funded full-time personnel whose salaries are charged/supported solely on a *single* Federal award are also required to complete the Certification of Grant-Funded Employment (Appendix C, Form AG/CPJAD #38) on a semi-annual basis. The certification must be signed by the employee and a supervisory official having firsthand knowledge of the work performed by the employee.

The fringe benefit cost is also allowable. For the current approved fringe rate for the State of Hawaii, go to the Department of Budget and Finance website www.budget.hawaii.gov and search under the "Statewide Policies, Finance Memorandum."

The state approved fringe benefit rate is set by Hawaii's Department of Budget and Finance (B&F) and approved by the U.S. Department of Health and Human Services. Grantee recipients from county agencies should consult with the county's Budget & Finance (B&F) counterpart for the county approved fringe benefit rate. The county rate used cannot include fringe items that are not included

in the state's approved rate. Non-profits can negotiate with CPJAD on fringe benefits rates and fringe items.

B.6.5 Conference Cost Threshold and Conditions

Reasonable conference-related activity costs are allowable uses of funds as long as the grant budget has been approved by CPJAD.

Grantee shall comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of Federal funds for expenses related to conferences, meetings, training, and other events. Information on pertinent laws, regulations, policies, and guidance is available at <http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>.

Grantee should become familiar with the Policy and Guidance for Conference Costs found in the DOJ Grants Financial Guide. OJP periodically revises the policy and guidance for conference costs, therefore, Grantee must comply with the provisions of the most current policy/guidance. Failure to comply with these conditions may result in the denial, reduction, or termination of funding.

In general, conferences (defined broadly to include meetings, retreats, seminars, symposiums, events, and group training activities) conducted by Grantee is an allowable cost. However, Grantee must ensure compliance with the following limitations and cost thresholds:

- Meeting room/audio-visual services (lesser of \$25 per day per attendee or \$20,000)
 - Cost allowed for conference space and audio-visual equipment and services is limited to \$25 per day per attendee not to exceed a cumulative cost of \$20,000. Costs in excess of these limits require additional justification and approval outside of OJP.
- Printing - Every effort should be made to provide conference materials to participants electronically or via print-on-demand services/options. Printed materials should maximize paper usage (printing on both sides) and minimize higher cost options (color printing) where possible.
- Logistical Planners (cost limit, lesser of \$50 per attendee or \$8,750).
- Programmatic Planners (cost limit, lesser of \$200 per attendee or \$35,000).
- Food and Beverage (not allowed).
- Refreshments (not allowed).

Training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

All contracts funded by OJP awards for events that include 30 or more participants (both Federal and non-Federal) must ensure that lodging costs for any number of attendees do not exceed the prevailing Federal per diem rate for lodging. If the lodging rate is not the Federal per diem rate or less, none of the lodging costs associated with the event are allowable costs to the award. As a result, Grantee would be required to pay for all lodging costs for the event with non-grant funds, not just the amount in excess of the Federal per diem. For example, if the Federal per diem rate for lodging is \$78 per night, and the lodging rate for the event is \$100 per night, Grantee would be required to pay the full \$100 per night, not just the difference of \$22 per night.

Trinkets (items such as hats, mugs, portfolios, t-shirts, coins, gift bags, etc., regardless of whether they include the conference name or OJP/DOJ logo) must not be purchased with grant funds as giveaways for conferences. Basic supplies that are necessary for use during the conference (e.g., folders, name tags) may be purchased. Gifts, honorariums, leis, etc. cannot be purchased with grant funds.

B.6.6 Food and Beverage Expenditures

No OJP grant funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event.

B.6.7 Consultants

Compensation for consultant services is to be reasonable and consistent with that paid for similar services in the marketplace. Effective June 1, 2014, the maximum allowable rate is \$650 per day (excluding travel and subsistence costs) for an eight-hour day or \$81.25 per hour. An eight-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance.

Please note, however, that this does not mean that the rate can or should be the maximum limit for all consultants. Grantee may request rates above the federal consultant rate of \$81.25/hour or \$650 a day if the compensation for consultant services is reasonable and consistent with that paid for similar services in the marketplace. The request must be in writing and accompanied by 1) an explanation of the need for the increased rate; 2) documentation of the current market value for the service, including a market analysis and justification for the proposed rate; and 3) the credentials of the proposed consultant. Resources to determine current market values may consist of competitive contract bids or the Bureau of Labor Statistics Wage by Area and Occupation website, www.bls.gov/bls/blswage.htm. Requests are considered on a case by case basis.

Consultants who are contracted through a competitive bidding process are not subject to the maximum consultant rate threshold. Those consultants who have

been contracted without a competitive bidding process (e.g., sole source) are subject to the maximum consultant rate threshold.

When the rate exceeds the limit for an eight-hour day, or a proportionate hourly rate (excluding travel and subsistence costs), Grantee must request written approval from CPJAD, prior to obligating grant funds.

To calculate a rate of compensation for consultants associated with and employed by educational institutions, divide the total compensation projected for 12 months by 260. If the resulting rate of compensation exceeds the maximum consultant rate established, written prior approval must be obtained from CPJAD.

Compensation for consultants employed by state and local government will only be allowed when the unit of government will not provide these services without cost.

- If a state or local government employee has been contracted to provide services that are related to his or her employment with the state or local government, the rate of compensation is not to exceed the daily salary rate for the employee paid by the unit of government.
- If a state or local government employee has been contracted to provide services that are unrelated to his or her employment with the state or local government, then the rate of compensation is based on the necessary and reasonable cost principles which cannot exceed the maximum rate allowed by the awarding agency without prior written approval.

Refer to the DOJ Grants Financial Guide for additional information. It is recommended that Grantee contact CPJAD to ensure that the compensation they are planning to pay a consultant is at the market rate and meets Federal requirements.

Time and activity reports are required for consultants.

B.6.8 Travel Costs

Project-funded travel must fall within the project period. For additional information refer to A.4.0 Project Activities.

Prior approval to attend local training and on the mainland is required for each trip.

Travel to attend specialized training on the mainland is allowable, if necessary to carry out the project objective(s), and Grantee can demonstrate that similar training is not available locally or cannot be brought to Hawaii at a comparable price. Prior approval from CPJAD is required for each trip.

The allowable per diem rate and excess lodging costs for travel is based on the county and state approved rates. Non-profit agencies may use their own travel policy as long as it meets the Federal requirements. If none, then Grantee should apply county and state approved rates.

Out-of-state car rental is not allowable except in special circumstances and require prior approval from CPJAD. It is expected that a taxi or shuttle service will be used whenever possible. Variances in special situations (for example when a rental car is more cost effective, when a taxi or shuttle service is not practicable) will be done on a case-by-case basis.

B.6.9 Indirect Costs

Indirect costs are costs of an organization that are not readily assignable to a particular project but are necessary to the operation of the organization and the performance of the project. Such costs are generally identified with the organization's overall operation and are further described in the Uniform Administrative Requirements, Costs Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice in 2 C.F.R Part 2800 (the "Part 200 Uniform Requirements"). The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of indirect costs.

Indirect costs are allowed if Grantee has a current federally approved indirect cost rate. Grantee must provide a copy of the federally approved indirect cost rate agreement to CPJAD. Grantee that has never received a federally approved indirect cost rate may use the Certification of 10% De Minimis Indirect Cost Rate. Refer to B.5.1.dd for more information.

B.7.0 Non-Competitive Procurement (Sole Source)

CPJAD authorization is needed for sole source procurements over \$150,000 in Federal funds. Grantee is required to submit a completed Justification for Non-Competitive Procurement Form (Appendix C, AG/CPJAD #21) to CPJAD. Upon authorization by CPJAD Grants and Planning Branch Chief, Grantee may proceed with the process to obtain approval utilizing state and county procurement rules. The authorization from CPJAD is not approval for sole source procurement; it only authorizes Grantee to proceed with the process to obtain approval. All procurement transactions, whether negotiated or competitively bid and without regard to value, must comply with Grantee's procurement requirements that provide maximum open and free competition.

B.8.0 Program Income

Program income means gross income earned by Grantee that is directly generated by a supported activity or earned as a result of the Federal award during the project period. Grantee can use program income to advance program objectives or refund the income back to CPJAD. Program income may only be used for allowable program costs. Unless

otherwise stipulated in the award, any program income earned during the project period but not utilized for the project must be refunded to CPJAD. Prior approval to expend the funds for program purposes must be obtained from CPJAD prior to the expenditure of such funds. Please discuss with your grant specialist for more information. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of law enforcement. Program income shall be reported by Grantee on the quarterly Project Expenditures and Obligations Report (Appendix A, AG/CPJAD #8). Refer to B.11.0 Project Expenditures and Obligations Report.

B.9.0 Modification of Approved Budget

Modification of an approved budget must be submitted in writing to CPJAD in advance of the obligation of expenditures. Upon approval by CPJAD, a project grant modification notice will be initiated.

All requests for budget modifications must be submitted by Grantee no later than 45 days prior to the project end date. All requests for modification to the approved budget shall be reviewed by CPJAD for consistency with Federal requirements and project goals and objectives. Grantee is to submit a revised Part III. Budget Detail and Explanation.

The following conditions require a budget modification and CPJAD approval:

- Change in approved budget line item in excess of 5% of the total category amount in which the line item is listed.
- Moving monies into any budget category with a zero-dollar amount.
- Changes in the source of in-kind/cash match.

For additional information, refer to A.6.0 Project Revisions.

B.10.0 Request for Funds and Payments

Once the contract between the Department of the Attorney General and the Grantee is executed, payments to the Grantee shall be made in accordance with and subject to the following provisions:

- Payments shall be made monthly upon receipt of Grantee's completed Request for Funds. Funds are not paid in lump sum but rather distributed over time as project costs are incurred or anticipated.
- Drawdown requests should be based upon the minimum needed for disbursements/reimbursements to be made immediately or within 10 days to ensure that Federal cash on hand is kept to a minimum. If the requested funds are not disbursed within 10 days of receipt, Grantee may be requested to return funds to CPJAD.
- Payments shall be made in accordance with and subject to Chapter 40,

Hawaii Revised Statutes, which specifies the accounting procedures and controls applicable to payments out of the Treasury of the State of Hawaii.

- If an amount of reported expenditures is determined by CPJAD to be inappropriate and unallowable, CPJAD may deduct an equivalent amount from the next payable installment and may withhold payment of the amount of the monies equivalent to the questioned expenditures until resolution of the discrepancy by audit or other means.

If, after payment of the last installment, investigation and examination reveal additional expenditures that are determined by CPJAD to be inappropriate and unallowable, CPJAD may require that an equivalent amount of monies be refunded to CPJAD notwithstanding CPJAD's preliminary determination of appropriateness and allowability.

Grantee must submit the completed Request for Funds and Cash Balance Report (Appendix A, AG/CPJAD #7) to request funds. The Request for Funds form must be received by CPJAD by the 15th of each month, even if no funds are being requested. CPJAD also uses this report to monitor a project's cash balance. Refer to B.13.0 for allowable cash on hand.

The final drawdown for funds shall be received by CPJAD no later than 30 days after the contract terminates.

Non-adherence to any of these deadlines may result in the withholding of grant funds.

Refer to Appendix A. Financial Forms for a copy of the form and the instructions for completing it. The form is also available on the G&P website at www.ag.hawaii.gov/cpja/gp. Also refer to A.12.0 Grant Closeout Procedures for additional information on final reports.

B.11.0 Project Expenditures and Obligations Report

Grantee must submit the completed Project Expenditures and Obligations Report (Appendix A, AG/CPJAD #8) at the end of each calendar quarter. The Project Expenditures and Obligations Report must be received by CPJAD by the 15th day following the end of each calendar quarter. The Project Expenditures and Obligations Report is due as follows:

January to March calendar quarter	due April 15 th
April to June calendar quarter	due July 15 th
July to September calendar quarter	due October 15 th
October to December calendar quarter	due January 15 th

Non-adherence to these deadlines may result in the withholding of grant funds. The quarterly report allows CPJAD to monitor cumulative project expenditures that were paid with Federal funds, and the collection and dispersion of program income.

Refer to Appendix A. Financial Forms for a copy of the form and the instructions for completing it. The form is also available on the G&P website at www.ag.hawaii.gov/cpja/gp. Also refer to A.12.0 Grant Closeout Procedures for additional information on final reports.

B.12.0 Fiscal Administration

Grantee's records concerning the grant project must be made available for inspection and audit by authorized Federal and state officials in accordance with the DOJ Grants Financial Guide.

B.12.1 Accounting System

- Establish a separate account for the grant project with separate accountability of receipts, obligations, expenditures, and balances for each fiscal budget period.
- Itemize all supporting records of grant receipts and expenditures in sufficient detail to document the exact nature of fiscal activity for each fiscal budget period.
- Provide data and information for each expenditure with proper reference to a supporting voucher or bill properly approved.
- Maintain payroll authorizations and vouchers.
- Maintain a time-reporting system for personnel charged to grant.
- Maintain adequate records supporting charges for fringe benefits.
- Maintain adequate records supporting charges for equipment.
- Project accounting records should also reflect program income received, if any, through fees, contributions, or payments by third party. Maintain supporting records of income received, expended, and balances for each fiscal budget period.

B.12.2 Audit

The DOJ Grants Financial Guide and the Uniform Guidance 2 CFR Part 200 state that if a Grantee is a non-Federal entity that expended \$750,000 or more in Federal funds during Grantee agency's fiscal year, Grantee is required to arrange for a single organization-wide audit conducted in accordance with the provisions of Title 2 CFR Subpart F. If applicable, Grantee shall submit a copy of their audit report to the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb/>

and to CPJAD.

Grantee shall comply with the applicable audit requirements of 2 CFR Part 200, and further understands that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) are not satisfactorily and promptly addressed as further described in the audit requirements and current edition of the DOJ Grants Financial Guide.

Failure to comply with audit requirements may result in the withholding of new awards and/or withholding of funds.

B.12.3 Catalog of Federal Domestic Assistance (CFDA)

Title: Victims of Crime Act (VOCA) Crime Victim Assistance

Number: 16.575 Agency: Department of Justice

B. 12.4 Unencumbered/Unexpended Funds

Funds provided to Grantee that are unencumbered on the date the project terminates shall be returned to CPJAD. Funds that are encumbered but not disbursed within 60 days after the project terminates shall be returned to CPJAD.

B.13.0 Cash on Hand

Excess cash on hand is unallowable. Grantee should request funds based upon the minimum needed for disbursements/reimbursements to be made immediately or within 10 days of receipt. Grantee should time drawdown requests to ensure that Federal cash on hand is kept to a minimum.

B.14.0 Loss, Damage, Theft of Equipment

Grantee is responsible for replacing or repairing equipment that is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage, or theft of the property must be investigated and fully documented and made part of the official project records.

Grantee cannot use Federal funds to replace or repair equipment that is willfully or negligently lost, stolen, damaged, or destroyed.

APPENDICES

	<u>Form Number</u>
A. Financial Forms	
Request for Funds and Cash Balance Report and Instructions	AG/CPJAD #7
Project Expenditures and Obligations Report and Instructions	AG/CPJAD #8
B. Certifications and Assurances	
Certification of:	
Non-Supplanting	AG/CPJAD #3
Acceptance of Conditions	AG/CPJAD #14
Non-Discrimination	AG/CPJAD #15
Drug-Free Workplace Requirements <i>Required for State Agencies only</i>	AG/CPJAD #16
Lobbying <i>Required for awards of \$100,000 or more</i>	AG/CPJAD #22
Acceptance of VOCA Special Conditions 103F – Non Profits Government	AG/CPJAD #26
Non-Discrimination Complaint Procedures	AG/CPJAD #30
Certification of Non-Profit Status	AG/CPJAD #36
10% De Minimis Indirect Cost Rate	AG/CPJAD #37
Equal Employment Opportunity Plan Requirements	OMB No.1121-0340
Debarment, Suspension, Ineligibility, and Voluntary Exclusion	OJP Form 4061/1

APPENDICES

C. Miscellaneous Forms

Certification for Title to Property	AG/CPJAD #13
Sole Source Justification	AG/CPJAD #21
Project Self-Assessment	AG/CPJAD #32
Certification of Grant-Funded Employment	AG/CPJAD #38
Volunteer Waiver Request (for VOCA Grantees)	AG/CPJAD #39
Indirect Costs Computation Worksheet	AG/CPJAD #40

D. OVC Program Guidelines

Final VOCA Program Guidelines

E. OVC Federal Reporting Forms

Subgrant Award Report (SAR)

Subgrantee Data Report – Performance Measurement Tool (PMT)

Grantee Report – Narrative

F. Frequently Asked Questions

Frequently Asked Questions & Answers - Fiscal

Subgrantee Data Report

Performance Measurement Tool (PMT)

G. Other Helpful Information

Crime & Victimization in the United States

Crime Trends

APPENDIX A

FINANCIAL FORMS

**DEPARTMENT OF THE ATTORNEY GENERAL
REQUEST FOR FUNDS AND CASH BALANCE REPORT**

check one: ☐ MONTHLY DRAWDOWN (due at CPJAD by the 15th day of each month)
☐ FINAL DRAWDOWN (due at CPJAD by the 30th day after project end date)
☐ FINAL REPORT (due at CPJAD by the 60th day after project end date)

PROJECT NO. _____

PROJECT TITLE: _____

REPORT NO. _____

PART A. REQUEST FOR GRANT FUNDS

1. AMOUNT OF GRANT AWARD

GRANT	AGENCY MATCH	TOTAL
\$ 0	\$ 0	\$ 0
#DIV/0!	#DIV/0!	#DIV/0!
\$ 0	Leave Blank	Leave Blank
\$ 0	Leave Blank	Leave Blank
\$ 0	Leave Blank	Leave Blank

2. PERCENT OF TOTAL GRANT

3. ADVANCES REQUESTED TO DATE

4. BALANCE OF AWARD AVAILABLE

5. AMOUNT OF THIS REQUEST

For State Agencies -- transfer of funds to Appropriation Code: _____

PART B. CASH BALANCE REPORT

1. TOTAL CASH RECEIVED
AS OF _____

2. LESS: CUMULATIVE EXPENDITURES
AS OF _____

3. ENDING CASH BALANCE

GRANT	AGENCY MATCH	TOTAL
\$ 0.00	\$ Leave Blank	Leave Blank
\$ 0.00	\$ 0.00	\$ 0.00
\$ 0.00	\$ Leave Blank	Leave Blank

I CERTIFY THAT THE INFORMATION CONTAINED HEREINABOVE IS IN ALL RESPECTS TRUE AND CORRECT AND THE DISBURSEMENTS BEING MADE ARE IN ACCORDANCE WITH THE GRANT AWARD CONTRACT FOR THE SUBJECT PROGRAM.

ADMINISTERING AGENCY: _____

AGENCY ADDRESS: _____

SIGNATURE OF

AUTHORIZED AUTHORITY: _____

DATE: _____

TYPED NAME & TITLE: _____

PREPARER NAME: _____

PHONE #: _____

FAX #: _____

FOR USE BY THE DEPARTMENT OF THE ATTORNEY GENERAL ONLY

Payment Approved: _____

Goods/Svs. Satisfactorily Received: _____

By: _____

Date Goods/Svs. Received: _____

Date Invoice Received: _____

Specialist _____

INSTRUCTIONS
REQUEST FOR FUNDS AND CASH BALANCE REPORT
(AG/CPJAD #7)

DUE: Monthly Drawdown: Submit a completed form (one original and two copies), by the 15th of each month, even if no funds are being requested. If no funds are being requested, submit one original only.

Final Drawdown: Submit a completed form (one original and two copies), by the 30th day after the project end date. This will be the project's final request for cash.

Final Report: Submit a completed form (one original and two copies), by the 60th day after the project end date.

PURPOSE: (1) To request funds.

 (2) To monitor cash balance (grant cash balance should be kept at a minimum).

PART A. REQUEST FOR GRANT FUNDS

1. Enter amounts (Grant, Agency Match, Total) awarded to the project in the appropriate column. "GRANT" means the State or Federal portion of the project's budget. NOTE: See Exhibit A, "Application for Grant, Part I, Title Page," of the Contract or any applicable Supplemental Agreement, for the Grant, Agency Match, and Total information.
2. Percentages will be automatically entered as Part A. Line 1 is completed. The percentages are also listed on Exhibit A, "Application for Grant, Part I, Title Page," of the Contract or applicable Supplemental Agreement. The sum of Grant and Agency percentages should equal 100%.
3. Enter cumulative requests for Grant made prior to this submittal in the Grant column. If Grant funds are returned to CPJAD, then the amount "Advances Requested to Date" is reduced proportionally.
4. The Balance of Award Available (Line 1 less Line 3) will be automatically entered in the Grant column as Lines 1 and 3 are completed.
5. **Enter amount requested, rounded to the nearest dollar,** in the Grant column.

PART B. CASH BALANCE REPORT

1. Enter total cash received to date in the Grant column. Enter the date in the space provided.
2. Enter total cumulative (not monthly) project expenditures to date in the appropriate column(s). Enter the date in the space provided. The amount entered in this column(s) should be actual expenditures. Do not include obligated costs. By the end of the project, the expenditures should match the percentages in Part A, Line 2.
3. The Ending Cash Balance (Line 1 less Line 2) will be automatically entered in the Grant column as Lines 1 and 2 are completed. **A federal requirement is that the cash balance should be kept to a minimum.**

SUBMITTING FINAL REPORT (due at CPJAD by the 60th day after the project end date)

1. Check the "Final Report" box to indicate that this is the agency's final report.

2. PART B. Line 3. Ending Cash Balance must be \$0 on the “final” report. If an amount more than \$0 is listed, then the project is required to return this amount to CPJAD. If the agency is in the process of returning funds to CPJAD or has not returned the funds to CPJAD, then do not check the “Final Report” box.

**DEPARTMENT OF THE ATTORNEY GENERAL
PROJECT EXPENDITURES & OBLIGATIONS REPORT**

RPT. # _____

PROJECT TITLE: _____

PROJECT # _____

REPORTING PERIOD: CALENDAR QUARTER ENDING: _____

PART A. EXPENDITURE CATEGORIES				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
SALARIES & WAGES				\$0.00
FRINGE BENEFITS				\$0.00
CONSULTANT SERVICES/CONTRACTS				\$0.00
TRANSPORTATION/SUBSISTENCE				\$0.00
OFFICE SUPPLIES				\$0.00
EQUIPMENT				\$0.00
OTHER COSTS				
1.				\$0.00
2.				\$0.00
List Total Other Cost from Page 2				\$0.00
EXPENDITURE TOTAL	\$0.00	\$0.00	\$0.00	\$0.00
PROGRAM INCOME SOURCES:				
1.				\$0.00
2.				\$0.00
PROGRAM INCOME TOTAL	\$0.00	\$0.00		\$0.00
GRAND TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

PART B. SOURCE OF FUNDS				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
GRANT FUNDS: 0%				\$0.00
AGENCY MATCH: 0%				\$0.00
SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00
PROGRAM INCOME	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

I CERTIFY THAT THIS IS A TRUE AND CORRECT STATEMENT OF EXPENDITURES AND OBLIGATIONS OF THE PROJECT IDENTIFIED ABOVE FOR THE PERIOD NOTED AND THAT THE APPROPRIATE DOCUMENTATION TO SUPPORT THESE EXPENDITURES AND OBLIGATIONS ARE AVAILABLE IN THE OFFICE NOTED BELOW.

ADMINISTERING AGENCY: _____

PREPARER: _____ PHONE: _____ FAX: _____

SIGNATURE OF
AUTHORIZED AUTHORITY: _____ DATE: _____

TYPED NAME & TITLE: _____

SUBMIT ORIGINAL PLUS 2 COPIES

MUST BE RECEIVED WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER DURING THE PROJECT PERIOD

FINAL REPORT MUST BE RECEIVED WITHIN 60 DAYS AFTER THE PROJECT END DATE

**DEPARTMENT OF THE ATTORNEY GENERAL
PROJECT EXPENDITURES & OBLIGATIONS REPORT, PAGE 2**

RPT. # _____

PROJECT TITLE: _____

PROJECT # _____

REPORTING PERIOD: CALENDAR QUARTER ENDING: _____

PART A. EXPENDITURE CATEGORIES Continued from Page 1				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
OTHER COSTS				
3.				\$0.00
4.				\$0.00
5.				\$0.00
6.				\$0.00
7.				\$0.00
8.				\$0.00
9.				\$0.00
10.				\$0.00
11.				\$0.00
12.				\$0.00
13.				\$0.00
14.				\$0.00
15.				\$0.00
16.				\$0.00
17.				\$0.00
18.				\$0.00
19.				\$0.00
20.				\$0.00
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

SUBMIT ORIGINAL PLUS 2 COPIES

MUST BE RECEIVED WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER DURING THE PROJECT PERIOD

FINAL REPORT MUST BE RECEIVED WITHIN 60 DAYS AFTER THE PROJECT END DATE

**DEPARTMENT OF THE ATTORNEY GENERAL
PROJECT EXPENDITURES & OBLIGATIONS REPORT -- VOCA ADMIN ONLY**

RPT. # _____

PROJECT TITLE: _____

PROJECT # _____

REPORTING PERIOD: CALENDAR QUARTER ENDING: _____

PART A. EXPENDITURE CATEGORIES				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
SALARIES & WAGES				\$0.00
FRINGE BENEFITS				\$0.00
CONSULTANT SERVICES				\$0.00
TRANSPORTATION/SUBSISTENCE				\$0.00
OFFICE SUPPLIES				\$0.00
OTHER COSTS				
1.				\$0.00
2.				\$0.00
3.				\$0.00
4.				\$0.00
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00
PROGRAM INCOME SOURCES:				
1.				\$0.00
2.				\$0.00
INCOME TOTAL	\$0.00	\$0.00		\$0.00
GRAND TOTAL	\$0.00	\$0.00	\$0.00	\$0.00

PART B. SOURCE OF FUNDS				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
GRANT FUNDS:				\$0.00
ADMIN FEDERAL FUNDS				\$0.00
TOTAL FEDERAL				\$0.00

I CERTIFY THAT THIS IS A TRUE AND CORRECT STATEMENT OF EXPENDITURES AND OBLIGATIONS OF THE PROJECT IDENTIFIED ABOVE FOR THE PERIOD NOTED AND THAT THE APPROPRIATE DOCUMENTATION TO SUPPORT THESE EXPENDITURES AND OBLIGATIONS ARE AVAILABLE IN THE OFFICE NOTED BELOW.

ADMINISTERING AGENCY: _____

PREPARER: _____ PHONE: _____ FAX: _____

SIGNATURE OF
AUTHORIZED AUTHORITY: _____ DATE: _____

TYPED NAME & TITLE: _____

SUBMIT ORIGINAL PLUS 2 COPIES

**MUST BE RECEIVED WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER DURING THE PROJECT PERIOD
FINAL REPORT MUST BE RECEIVED WITHIN 60 DAYS AFTER THE PROJECT END DATE**

INSTRUCTIONS
PROJECT EXPENDITURES & OBLIGATIONS REPORT
(AG/CPJAD #8)

- DUE:** Fifteen (15) calendar days after the end of each calendar quarter. NOTE: Due dates are April 15th, July 15th, October 15th, and January 15th, regardless of project start date. Submit one original and two copies.
Final Report: Due by the 60th day after the project end date. Submit one original and two copies.
- PURPOSE:** For CPJAD and Grantee to monitor project expenditures to ensure that project funds are spent in a timely manner, within budget, and by the end of the project. The information on this form is reported to the Office of the Chief Financial Officer, Department of Justice. This is a requirement for all federally funded projects .

PART A. EXPENDITURE CATEGORIES

1. Approved Budget: Enter total (not quarterly) amounts in each category established by the project's current approved budget. The approved budget includes both the grant funds and the agency funds. NOTE: Project Directors should provide Fiscal Officers with a copy of the project's current approved budget.
2. Expenditures to Date: Enter cumulative (not quarterly) expenditures in each category as of the end date of the calendar quarter. The cumulative expenditures includes both the grant expenditures and the agency expenditures.
3. Unpaid Obligations: Enter unpaid obligations in each category as of the end date of the calendar quarter. The unpaid obligations includes both the grant obligations and the agency obligations. Unpaid obligations are obligations for which funds have been obligated but have not been paid (e.g., issued purchase orders, invoices that have not been paid, etc. (Do not complete shaded cells.)
4. Balance: The balance (approved budget less expenditures to date and unpaid obligations) will be automatically entered as the approved budget, expenditures to date, and unpaid obligations columns are completed.
5. Program Income Sources: Enter any sources of program income. Examples of program income include royalties, registration/tuition fees, and asset seizures and forfeitures. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of law enforcement. Program income earned as a result of project activities should be returned to the program.
6. Expenditure Total, Program Income Total, and Grand Total: The Excel spreadsheet includes formulas that will compute these items. The amounts in the "Grand Total" for both Parts A and B must be the same.

PART B. SOURCE OF FUNDS

1. Source of Funds: Enter the percentage of grant and agency funds. NOTE: See Exhibit A, “Application for Grant, Part I, Title Page,” of the Contract or any applicable Supplemental Agreement, for this information.
2. Approved Budget: Enter the grant and agency match amounts as established in the project’s current approved budget.
3. Expenditures to Date: Enter cumulative (not quarterly) grant and agency match expenditures as of the end date of the calendar quarter. (The grant and agency match expenditure amounts listed here should be the same amounts listed in the corresponding Request for Funds and Cash Balance Report, AG/CPIAD #7, Part B. Line 2.)
4. Unpaid Obligations: Enter cumulative (not quarterly) grant and agency match unpaid obligations as of the end date of the calendar quarter.
5. Balance: The balance (approved budget less expenditures to date and unpaid obligations) will be automatically entered as the approved budget, expenditures to date, and unpaid obligations columns are completed.
6. Subtotal, Program Income, and Grand Total: The Excel spreadsheet includes formulas that will compute these items. The amounts in the “Grand Total” for both Parts A and B must be the same.

SUBMITTING FINAL REPORT

1. After entering the RPT# (top right corner), type “Final” to indicate that this is the agency’s final report. A report cannot be “Final” if unpaid obligations remain.

APPENDIX B

CERTIFICATIONS AND ASSURANCES

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-SUPPLANTING

I certify that federal funds will not be used to supplant State, local or other non-federal funds that would, in the absence of such federal aid, be made available for law enforcement, criminal justice, and victim compensation and assistance activities.

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

ACCEPTANCE OF CONDITIONS

The undersigned agrees, on behalf of the applicant agency, that:

1. This project, upon approval, shall constitute an official part of Hawaii's Victims of Crime Act Victim Assistance Formula Grant Program established under the Victims of Crime Act of 1984, Public Law 98-473, as amended, and codified at 42 U.S.C. 10601, et seq.
2. Any grant awarded pursuant to this application shall be subject to and will be administered in conformity with :
 - (a) general conditions applicable to administration of grants under the Victims of Crime Act Victim Assistance Formula Grant Program established under the Victims of Crime Act of 1984, Public Law 98-473, as amended, as applicable;
 - (b) conditions applicable to the fiscal administration of grants under the Victims of Crime Act Victim Assistance Formula Grant Program established under the Victims of Crime Act of 1984, Public Law 98-473, as amended, as applicable;
 - (c) any special conditions contained in the grant award; and
 - (d) general and fiscal regulations of the Crime Prevention and Justice Assistance Division.
3. Any grant received as a result of this application may be terminated, or fund payment may be discontinued, by the Crime Prevention and Justice Assistance Division when it finds a substantial failure to comply with the foregoing provisions, the application obligations or for non-availability of funds.

SUBMITTED BY:

Name _____

Title _____

Signature _____

Date _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-DISCRIMINATION

I certify that the applicant agency will comply with and will insure compliance by its subgrantees and contractors with the non-discrimination requirements of:

- The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women funded programs or activities. (42 U.S.C. §3789d and 28 C.F.R. §42.201 et seq.)
- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women funded programs or activities. (42 U.S.C. §2000d and 28 C.F.R. §42.101 et seq.)
- Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women funded programs or activities. (29 U.S.C. §794 and 28 C.F.R. §42.501 et seq.)
- Section 1407 of the Victims of Crime Act (VOCA), which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities. (42 U.S.C. §10604)
- Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women funded programs or activities. (42 U.S.C. §12132 and 28 C.F.R. Pt. 35)
- Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women funded training or educational programs. (20 U.S.C. §1681 and 28 C.F.R. Pt. 54)
- The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in Office of Justice Programs, Office of Community Oriented Policing Services, and Office on Violence Against Women funded programs or activities. (42 U.S.C. §6102 and 28 C.F.R. §42.700 et seq.)
- Executive Order No. 13166 prohibiting discrimination of Limited English Proficient Persons.
- Executive Order No. 13279 and 28 C.F.R. pt. 38 regarding equal protection of the laws for faith-based organizations.
- The Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, 127 Stat. 54 § 3(b)(2013) which prohibits excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part with funds made available through VAWA or the Office on Violence Against Women. (42 U.S.C. § 13925(b)(13)).

No person shall, on the grounds of race, color, religion, national origin, sex, or disability, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity funded in whole or in part with funds made available under this title from the U.S. Department of Justice through the Department of the Attorney General, Crime Prevention and Justice Assistance Division. Noncompliance with the discrimination regulations may result in the suspension or termination of funding.

SUBMITTED BY:

Signature: _____ Date: _____
Name: _____ Title: _____
Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

INSTRUCTIONS

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS
(AG/CPJAD #16)

1. By signing and/or submitting this application or grant agreement, the grantee, is providing the certification set out on the form entitled Crime Prevention and Justice Assistance Division, Department of the Attorney General, Certification Regarding Drug-Free Workplace Requirements (hereinafter referred to as the AG/CPJAD Form #16).
2. The certification set out on AG/CPJAD Form #16 is a material representation of fact upon which reliance will be placed when the Department of the Attorney General, State of Hawaii (hereinafter referred to as “grantor”) determines to subgrant federal funds to the grantee. Pursuant to the contract which grantor will offer grantee in the event a subgrant is awarded to grantee, false certification or violation of the conditions set forth in the certification shall be grounds for suspension of payments, or suspension or termination of the subgrant. Such false certification or violation of the conditions contained in the certification shall subject the State of Hawaii to governmentwide suspension or debarment, which shall, in turn, result in the withdrawal of funds from the grantee and/or the unavailability of future funding for the grantee.

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

I. _____(hereinafter referred to as “grantee”) certifies that it will 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 a 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;
- (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 of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction;
- (e) notifying the Department of the Attorney General, State of Hawaii, within ten (10) days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction;
- (f) taking one of the following actions with respect to any employee who is so convicted:
 - (1) taking appropriate personnel action against such an employee, up to and

including termination; 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).

II. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with this specific grant:

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

County

County

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a Federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No 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 Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here ____ and complete and submit Standard Form # LLL, A Disclosure of Lobbying Activities, in accordance with its instructions.
- (3) Recipient understands and agrees that it cannot use any Federal funds, either directly or indirectly, in support of the enactment, repeal, modification, or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the U.S. Department of Justice, Office of Justice Programs.
- (4) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

SUBMITTED BY:

Signature: _____
Name: _____
Title: _____

Date: _____
Project No: _____

Name and Address of Organization

Name of OJP Agency

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

ACCEPTANCE OF VOCA SPECIAL CONDITIONS
(for 103F Contracts)

The undersigned Provider understands and agrees, on behalf of its agency that:

1. PERFORMANCE REQUIREMENTS AND CONDITIONS

- A. Requirements of the Award; Remedies for Non-Compliance or for Materially False Statements. The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the PROVIDER that relate to conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements – whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period – may result in STATE taking appropriate action with respect to the PROVIDER and the award. Among other things, CPJAD may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice and STATE also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the state and/or federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or unenforceable, such provision shall be deemed severable from this award.

- B. PROVIDER shall comply with the guidelines set forth in the Victims of Crime Act and all applicable federal regulations and guidelines, including but not limited to the provisions of the Final Program Guidelines published in the Federal Register, April 22, 1997, guidance issued by the Office for Victims of Crime, 28 C.F.R. Chapter 1, Part 70, Uniform Administrative Requirements for Grants and Agreements (Including Subawards) With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations, and the Office of Management and Budget (OMB) circulars.
- C. PROVIDER shall comply with the financial and administrative requirements set

forth in 2 C.F.R. Part 200 and the current edition of the DOJ Grants Financial Guide.

PROVIDER understands and agrees that STATE may withhold award funds, or may impose other related requirements, if the PROVIDER does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of STATE awards.

- D. PROVIDER shall comply with all the ordinances, codes, rules and regulations of the Federal, State and local government which in any way affect its performance under this Contract.
- E. Prior to, or concurrently with the execution of this Contract, if so required by STATE, PROVIDER shall complete, execute and submit to STATE a Certification Regarding Drug-Free Workplace Requirements which meets the requirements of the Drug Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D), hereinafter referred to as the “Drug-Free Workplace Certification.” A copy of the Drug-Free Workplace Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Drug-Free Workplace Certification are true at the time this Contract is executed and will remain true throughout the entire term of this Contract and any extensions, and that PROVIDER shall fulfill all the requirements set forth therein. PROVIDER’s execution and submission of a false Drug-Free Workplace Certification or PROVIDER’s violation of the requirements set forth therein shall entitle STATE to suspend one or more payments under this Contract, and/or terminate this Contract pursuant to the provisions of Section 4 of the General Conditions. PROVIDER warrants that it is aware that such false certification or violation of the requirements contained in the Drug-Free Workplace Certification shall subject the State of Hawaii to government-wide suspension or debarment, or other sanctions which, in turn, shall result in the withdrawal of funds from PROVIDER and/or the unavailability of future funding for PROVIDER.
- F. Prior to, or concurrently with the execution of this Contract, PROVIDER shall complete, execute and submit to STATE a Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, hereinafter referred to as the “Debarment Certification.” A copy of the Debarment Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Debarment Certification are true at the time this Contract is executed and will remain true throughout the entire term of this Contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.
- G. Prior to, or concurrently with the execution of this Contract, PROVIDER shall complete, execute and submit to STATE a Certification of Non-Supplanting, hereinafter referred to as the “Non-Supplanting Certification.” A copy of the Non-Supplanting Certification shall be included in Attachment 1. PROVIDER

covenants that the representations made in the Non-Supplanting Certification are true at the time this Contract is executed and will remain true throughout the entire term of the Contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.

- H. Prior to, or concurrently with the execution of this Contract, if so required by STATE, PROVIDER shall complete, execute and submit to STATE a Certification Regarding Lobbying, hereinafter referred to as the "Lobbying Certification," and any subsequent disclosure forms required under Section 1352, Title 31 U.S.C. A copy of the Lobbying Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Lobbying Certification are true at the time this Contract is executed and will remain true throughout the entire term of this Contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.
- I. PROVIDER shall comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968 which prohibits discrimination in employment and in the delivery of services or benefits on the basis of race, color, national origin, religion, or sex; Title VI of the Civil Rights Act of 1964 which prohibits discrimination in the delivery of services or benefits on the basis of race, color, or national origin; Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 which prohibit discrimination in employment and in the delivery of services or benefits based on disability; Title IX of the Education Amendments of 1972 which prohibits discrimination on the basis of sex in training or educational programs; the Age Discrimination Act of 1975 which prohibits discrimination in the delivery of services or benefits on the basis of age; the Department of Justice regulations implementing the above-referenced statutes at 28 C.F.R. Part 42, subpts. C, D, G, and I, 28 C.F.R. Part 35, and 28 C.F.R. Part 54; Exec. Order No. 13279, 28 C.F.R. Part 38 (equal protection of the laws for faith-based and community organizations); Exec. Order No. 13166 and U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons; the Hawaii State Fair Employment Practices Act, Chapter 378, Hawaii Revised Statutes; and all other applicable federal and state laws, rules and regulations.
- J. PROVIDER assures STATE that if it is required to formulate an Equal Employment Opportunity Program in accordance with 28 C.F.R. 42.301 et seq., it will submit a certification to STATE that a current program is on file.
- K. Prior to, or concurrently with the execution of this Contract, PROVIDER shall complete, execute, and submit to STATE a Certification of Non-Profit Status and Statement Regarding Publication of Financial Statements, hereinafter referred to as the "Non-Profit Certification." A copy of the Non-Profit Certification shall be included in Attachment 1. PROVIDER covenants that the representations made in the Non-Profit Certification are true at the time this Contract is executed and

will remain true throughout the entire term of the contract and any extensions, and that PROVIDER shall fulfill any and all terms and conditions set forth therein.

- L. PROVIDER shall ensure that _____ no/100 dollars (\$ _____ .00) are available as matching funds (in-kind or cash) to provide the services under this Contract. PROVIDER shall maintain records which clearly and accurately show the source, amount and the timing of match contributions. If, at the end of the Contract period, STATE determines that PROVIDER does not have the required matching contribution, PROVIDER shall return all of the federal portion of the project cost for which the PROVIDER does not have the required match.
- M. PROVIDER shall maintain accounting procedures and practices acceptable to STATE, and books, records, documents and other evidence which sufficiently and properly reflect all direct and indirect expenditures and all interest or other income earned as the result of funds provided pursuant to this Contract. PROVIDER shall ensure that its own books, records, and documents are available for inspection, reviews or audits at all reasonable times by STATE or the United States Department of Justice. In addition, PROVIDER shall prepare and submit to the STATE reports in such form and at such times as STATE or the Office for Victims of Crime may require. Records and financial accounts shall be retained by the PROVIDER and shall be accessible to STATE and the United States Department of Justice for at least three years after STATE's grant with the Office for Victims of Crime is closed.
- N. Any funds provided to PROVIDER under this Contract which are unencumbered on the date this Contract terminates shall be returned to STATE; all funds provided under this Contract which are encumbered but not disbursed within sixty (60) days after this Contract terminates shall be returned to STATE.
- O. PROVIDER shall submit a Subgrant Award Report (SAR) required by OVC to STATE 14 days following the execution of the contract.
- P. PROVIDER shall submit (and, as necessary, require sub-recipients to submit) performance measure reports (PMT) on the performance metrics identified by OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction. PROVIDER shall submit the reports quarterly. The reporting periods and due dates are:

October 1 – December 31	due January 15
January 1- March 31	due April 15
April 1 – June 30	due July 15
July 1 – September 30	due October 15

The fourth quarter will include the VOCA Grantee Report narrative questions for the period of October 1 to September 30.

- Q. If so required by STATE, PROVIDER shall certify to STATE that any expendable or nonexpendable personal property purchased or acquired with funds received under this Contract will be used for victim services purposes before title in such property may vest in PROVIDER. PROVIDER shall submit a certification to STATE within thirty (30) days after the date this Contract terminates. If a certification is not provided by PROVIDER, title to any personal property purchased or acquired with funds received under this Contract shall vest in STATE and such personal property shall be delivered to the STATE in good working order upon expiration or sooner termination of this Contract.
- R. The source of funding for this Contract is federal funds and the provisions of Hawaii Revised Statutes, Section 29-15 shall apply.

2. AMENDMENTS TO GENERAL CONDITIONS FOR HEALTH AND HUMAN SERVICES CONTRACTS

- A. Paragraph 2.1.1 of the General Conditions is amended by adding at the end thereof the following:
PROVIDER shall submit a completed Privacy Certification for review and approval prior to the expenditure of funds for the collection of identifiable research/statistical data. All information, data, or other material provided by the PROVIDER or the STATE shall be kept confidential only to the extent permitted by law.
- B. Paragraph 2.2 of the General Conditions is amended to read in its entirety as follows:
Ownership Rights, Copyright, and Patent.
The STATE shall have complete ownership of all material, both finished and unfinished, which is developed, prepared, assembled, or conceived by the PROVIDER pursuant to this Contract, and all such material shall be considered “works made for hire.” No summary, report, map, chart, graph, table, study or other documents or discovery, invention, or development produced in whole or in part with funds made available under this Contract shall be the subject of an application for copyright or patent by or on behalf of PROVIDER, its officers, agents, or its employees, or its subcontractors without prior written authorization from STATE. To the extent that any material, summary, report, map, chart, graph, table, study, or other documents, or discovery, invention, or development under this Contract is not recognized as a “work made for hire” as a matter of law, PROVIDER hereby assigns to the STATE any and all copyrights in and to the material.
- C. Paragraph 3.2 of the General Conditions is amended by adding at the end thereof the following:
PROVIDER may provide some or all of the services required under this Contract by subcontract provided that PROVIDER secures the prior

written consent of STATE. In the event PROVIDER enters into a subcontract with a private organization to perform any of the services or activities required under this Contract, PROVIDER agrees that the period of each subcontract shall not exceed one year, and funds to the private organization will not be released unless and until the requirements set forth in applicable State law and implementing rules are complied with by the subcontractor. All subcontracts shall include provisions to ensure that PROVIDER is capable of satisfying the requirements of this Contract. All subcontracts shall be reduced to writing and shall include all provisions of this Contract required of PROVIDER.

- D. Paragraph 4.1.1 of the General Conditions is amended to read in its entirety as follows:

In writing. Any modification or change in any term, provision, or condition of this Contract shall be made by written amendment signed by both the PROVIDER and the STATE; provided, however, that the Administrator of the Crime Prevention and Justice Assistance Division or the Administrator's designee (hereinafter, "CPJA Administrator") may, on the STATE's behalf and to the extent permitted by law, approve the following when requested by the PROVIDER: (a) changes to the budget categories set forth in Part III of Exhibit A to the Scope of Services, provided that there is no change to the total compensation under this Contract; and (b) extensions of the PROVIDER's Time of Performance, provided that there is no change to the total compensation under this Contract. Any such requests by the PROVIDER shall be submitted in writing to the STATE no later than forty-five (45) days before the Contract would otherwise terminate and, if approved, shall be effective as of the date approved by the CPJA Administrator.

3. DISPUTES

Any dispute concerning a matter of fact arising under this Contract or any subcontract, which is not disposed of by mutual agreement within fifteen (15) calendar days, shall be decided by the Attorney General, or the Attorney General's duly designated representative, who shall reduce the decision to writing and mail or otherwise furnish a copy of the decision to PROVIDER. The decision of such person shall be final and conclusive. Pending final decision of such dispute, PROVIDER shall proceed diligently with the performance of this Contract in accordance with STATE's request.

4. ADDITIONAL CONDITIONS

Additional conditions may be imposed upon PROVIDER by reducing them to writing and designating them as exhibits to this Contract. Any such exhibit shall be attached hereto and thereby incorporated herein.

5. REPORTING POTENTIAL FRAUD, WASTE, AND ABUSE, AND SIMILAR MISCONDUCT

PROVIDER and any subrecipients (“subgrantees”) at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has, in connection with funds under this award -- 1) submitted a claim that violates the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by:

Mail: Office of the Inspector General
U.S. Department of Justice
Investigations Division
1425 New York Avenue, N.W.
Suite 7100
Washington, DC 20530

Hotline: (contact information in English and Spanish): (800) 869-4499, or
Hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at
<https://oig.justice.gov/hotline>

6. FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING

Pursuant to Executive Order 13513, “Federal Leadership on Reducing Text Messaging While Driving,” 74 Fed. Reg. 51225 (October 1, 2009), the STATE encourages PROVIDER and sub-grantees to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

7. TRAINING(S)/CONFERENCE(S) COMPLIANCE

PROVIDER agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events. Information on pertinent laws, regulations, policies, and guidance is available in the DOJ Grants Financial Guide Conference Cost Chapter.

PROVIDER understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Sub-grantees, available at

8. DUPLICATE AWARD OF FEDERAL FUNDS

PROVIDER agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this STATE award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this STATE award, the PROVIDER will promptly notify, in writing, the assigned Criminal Justice Planning Specialist for this STATE award, and, if so requested by STATE, seek a budget or project narrative modification to eliminate any inappropriate duplication of funding.

9. RESTRICTIONS AND CERTIFICATIONS REGARDING NON-DISCLOSURE AGREEMENTS AND RELATED MATTERS

PROVIDER understands and agrees that no grantee or subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

10. PROHIBITED CONDUCT RELATED TO TRAFFICKING IN PERSONS

PROVIDER, and any subgrantee at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of PROVIDER, subgrantees, or individuals defined (for purposes of this condition) as “employees” of the PROVIDER or of any subgrantee.

The details of the PROVIDER’s obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by grantees and subgrantees related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

11. GENERAL APPROPRIATIONS – LAW RESTRICTIONS

PROVIDER, and any subgrantee at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various “general provisions” in the Consolidated Appropriations Act, 2018, are set out at <https://ojp.gov/funding/Explore/FY18AppropriationsRestrictions.htm> and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a PROVIDER or subgrantee would or might fall within the scope of an appropriations-law restriction, the PROVIDER is to contact STATE for guidance, and may not proceed without the express prior written approval of STATE.

12. DOJ REGULATIONS PERTAINING TO CIVIL RIGHTS AND NONDISCRIMINATION

28 C.F.R. Part 38

PROVIDER, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to PROVIDER and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to PROVIDER and subgrantees that are faith-based or religious organizations.

The text of the regulation, now entitled “Partnerships with Faith-Based and Other Neighborhood Organizations,” is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR “current” data.

28 C.F.R. Part 54

PROVIDER, and any subrecipient (“subgrantee”) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain “education programs.”

13. 41 U.S.C. 4712 (INCLUDING PROHIBITIONS ON REPRISAL; NOTICE TO EMPLOYEES)

PROVIDER must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee’s disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

PROVIDER also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

14. “LOBBYING” RESTRICTIONS

In general, as a matter of federal law, federal funds may not be used by the PROVIDER, or any subrecipient (“subgrantee”) at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded from being used by the PROVIDER, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a PROVIDER (or subrecipient) would or might fall within the scope of these prohibitions, the PROVIDER is to contact STATE for guidance, and may not proceed without the express prior written approval of STATE.

15. REQUIREMENTS TO REPORT ACTUAL OR IMMINENT BREACH OF PERSONALLY IDENTIFIABLE INFORMATION (PII)

PROVIDER shall have written procedures in place to respond in the event of an actual or imminent “breach” (OMB M-17-12) of “personally identifiable information” (PII) (2 CFR 200.79), if PROVIDER 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of such “personally identifiable information” within the scope of the grant-funded program or activity, or 2) uses or operates a “Federal information system” (OMB Circular A-130).

PROVIDER’s response procedures must include a requirement to report by email actual or imminent breach of PII to the assigned CPJAD grant manager and to hawaiiag@hawaii.gov no later than 12 hours after an occurrence of an actual breach, or the detection of an imminent breach, with the date and time of the breach or detection of an imminent breach, description of actual or imminent breach, project number, project title, name of PROVIDER, and PROVIDER contact information.

SUBMITTED BY:

Signature: _____ Date: _____
Name: _____ Title: _____
Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

ACCEPTANCE OF VOCA SPECIAL CONDITIONS

The undersigned Grantee understands and agrees, on behalf of its agency that:

1. Requirements of the Award; Remedies for Non-Compliance or for Materially False Statements

The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the Grantee that relate to conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements – whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period – may result in CPJAD taking appropriate action with respect to the Grantee and the award. Among other things, CPJAD may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice and CPJAD also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the state and/or federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements

Grantee agrees to comply with the financial and administrative requirements set forth in 2 C.F.R. Part 200 and the current edition of the Department of Justice (DOJ) Grants Financial Guide.

Grantee understands and agrees that CPJAD may withhold award funds, or may impose other related requirements, if the Grantee does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the

terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of CPJAD awards.

3. Reporting Requirements and Performance Metrics

The Subgrant Award Report (SAR) required by OVC shall be submitted to CPJAD 14 days following the execution of the contract. County prosecutors shall also submit a report for each funded non-profit agency within 14 days after the non-profit agency's contract is executed with county, but no later than 90 days following the execution of county's contract with CPJAD.

Grantee agrees to submit (and, as necessary, require sub-recipients to submit) performance measure reports (PMT) on the performance metrics identified by OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction. The Grantee agrees to submit the reports quarterly. The reporting periods and due dates are:

October 1 – December 31	due January 15
January 1 - March 31	due April 15
April 1 – June 30	due July 15
July 1 – September 30	due October 15

The fourth quarter will include the VOCA Grantee Report narrative questions for the period of October 1 to September 30. Grantees shall submit a report for each funded agency.

4. DOJ Regulations Pertaining to Civil Rights and Nondiscrimination

28 C.F.R. Part 38

Grantee, and any subgrantee at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to Grantee and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to Grantees and subgrantees that are faith-based or religious organizations.

The text of the regulation, now entitled “Partnerships with Faith-Based and Other Neighborhood Organizations,” is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>),

by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR “current” data.

28 C.F.R. Part 54

Grantee, and any subrecipient (“subgrantee”) at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain “education programs.”

5. “Lobbying” Restrictions

In general, as a matter of federal law, federal funds may not be used by the Grantee, or any subrecipient (“subgrantee”) at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded from being used by the Grantee, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a Grantee (or subrecipient) would or might fall within the scope of these prohibitions, the Grantee is to contact CPJAD for guidance, and may not proceed without the express prior written approval of CPJAD.

6. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

Grantee and any subrecipients (“subgrantees”) at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has, in connection with funds under this award -- 1) submitted a claim that violates the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct. Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by:

Mail: Office of the Inspector General
 U.S. Department of Justice
 Investigations Division
 1425 New York Avenue, N.W.

Suite 7100
Washington, DC 20530

Hotline: (contact information in English and Spanish): (800) 869-4499, or
Hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at
<https://oig.justice.gov/hotline>

7. 41 U.S.C. 4712 (Including Prohibitions on Reprisal; Notice to Employees)

Grantee must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

Grantee also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

8. Federal Leadership on Reducing Text Messaging While Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the CPJAD encourages grantees and sub-grantees to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

9. Training(s)/Conference(s) Compliance

Grantee agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events. Information on pertinent laws, regulations, policies, and guidance is available in the DOJ Grants Financial Guide Conference Cost Chapter.

Grantee understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Sub-grantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>

10. Duplicate Award of Federal Funds

Grantee agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this CPJAD award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this CPJAD award, the grantee will promptly notify, in writing, the assigned Criminal Justice Planning Specialist for this CPJAD award, and, if so requested by CPJAD, seek a budget or project narrative modification to eliminate any inappropriate duplication of funding.

11. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

No Grantee or subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

12. Prohibited Conduct Related to Trafficking in Persons

Grantee, and any subgrantee at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of Grantees, subgrantees, or individuals defined (for purposes of this condition) as “employees” of the Grantee or of any subgrantee.

The details of the Grantee’s obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by grantees and subgrantees related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

13. General Appropriations-Law Restrictions

Grantee, and any subgrantee at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various “general provisions” in the Consolidated Appropriations Act, 2018, are set out at <https://ojp.gov/funding/Explore/FY18AppropriationsRestrictions.htm> and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a Grantee or subgrantee would or might fall within the scope of an appropriations-law restriction, the

grantee is to contact CPJAD for guidance, and may not proceed without the express prior written approval of CPJAD.

14. Requirements to Report Actual or Imminent Breach of Personally Identifiable Information (PII)

Grantee shall have written procedures in place to respond in the event of an actual or imminent “breach” (OMB M-17-12) of “personally identifiable information” (PII) (2 CFR 200.79), if Grantee 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of such “personally identifiable information” within the scope of the grant-funded program or activity, or 2) uses or operates a “Federal information system” (OMB Circular A-130).

Grantee’s response procedures must include a requirement to report by email actual or imminent breach of PII to the assigned CPJAD grant manager and to hawaiiag@hawaii.gov no later than 12 hours after an occurrence of an actual breach, or the detection of an imminent breach, with the date and time of the breach or detection of an imminent breach, description of actual or imminent breach, project number, project title, name of Grantee, and Grantee contact information.

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF NON-DISCRIMINATION COMPLAINT PROCEDURES

The U.S. Department of Justice, Office of Justice Programs (OJP), Office for Civil Rights (OCR) has jurisdiction to investigate complaints of discrimination against recipients of funding from OJP (which includes component agencies such as the Bureau of Justice Assistance, the Office for Victims of Crime, and the National Institute of Justice), Office on Violence Against Women, and the COPS Office. OCR has indicated that recipients and subrecipients of federal funding should have non-discrimination complaint procedures. Therefore,

I certify that the _____ (name of agency)
has non-discrimination complaint procedures which include:

- (1) a coordinator who is responsible for overseeing the complaint process. The agency's coordinator is:

_____	_____	_____
Name	Title	Phone

- (2) a procedure to ensure that beneficiaries or employees of funded subrecipients are aware that they may complain of discrimination directly to a subrecipient, to the Department of the Attorney General, or to the Office for Civil Rights.

- (3) a procedure to investigate the complaint. (The procedure may be an internal investigation or forwarding the complaint to the Department of the Attorney General, the OCR, or another appropriate external agency.)

- (4) a procedure to notify the Department of the Attorney General, Crime Prevention and Justice Assistance Division of the complaint. (The Department will forward the complaint information to OCR and may conduct an investigation of the complaint.)

- (5) a procedure to notify the Department of the Attorney General of the findings of the investigation.

SUBMITTED BY:

Signature: _____

Date: _____

Name: _____
(Head of Agency or Designee)

Title: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

**CERTIFICATION OF NON-PROFIT STATUS AND
STATEMENT REGARDING PUBLICATION OF FINANCIAL STATEMENTS**

The Department of Justice, Office of Justice Programs, Office for Victims of Crime (OVC) requires non-profit organizations that receive Victims of Crime Act (VOCA) Assistance funding to certify their non-profit status. (42 U. S. C. Chapter 112)

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. As of the date of this Certification and Statement, the _____ (name of Grantee) is a non-profit organization, as defined by the State of Hawaii Department of Taxation.
2. The _____ (name of Grantee) has the following documentation on file that can be made available upon audit. (*Please check one of the following documents.*)
 - ☐ Grantee's 501(c)(3) designation letter.
 - ☐ Letter from the State of Hawaii Department of Taxation stating the Grantee is a non-profit organization operating within the State of Hawaii.
 - ☐ Letter from the State of Hawaii Department of the Attorney General stating the Grantee is a non-profit organization operating within the State of Hawaii.
 - ☐ Grantee's State of Hawaii certificate of incorporation that substantiates its non-profit status.
 - ☐ For local non-profit affiliates of state/territory or national non-profits: One of the above four documents (check one of the above boxes to identify) ***and*** a statement issued by the state/territory or national parent organization that the Grantee is a local non-profit affiliate.

Non-profit organizations that receive VOCA Assistance funding must make its financial statements available online on a publically available website. An organization that has Federal 501(c)(3) tax status will be considered to be in compliance with this requirement, with no further action needed, to the extent that such organization files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such statements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

As of the date of this Certification and Statement, the Grantee is in compliance with the requirement regarding the publication of financial statements as follows. (*Please check one of the following statements.*)

- ☐ Grantee's financial statements are available online at the following website:

URL: _____

- ☐ Grantee has Federal 501(c)(3) tax status **and** has filed IRS Form 990 or similar tax document (e.g., 990-EZ).

SUBMITTED BY:

Signature: _____

Date: _____

Name: _____
(Head of Grantee Agency or Designee)

Title: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF 10% DE MINIMIS INDIRECT COST RATE

Any Grantee that proposes to use federal grant funds to pay for indirect costs but has never received a federally negotiated indirect cost rate may elect to charge a de minimis rate of 10% of its modified total direct costs (MTDC) which may be used indefinitely. (2 CFR § 200.414) In order to charge a de minimis rate of 10% of its MTDC, the Grantee must submit this certification form to the Department of the Attorney General.

I certify that the _____ (name of Grantee) meets the following eligibility criteria to use the 10% de minimis indirect cost rate:

1. The Grantee has never received a Federally-negotiated indirect cost rate for any federal awards.
2. The Grantee has received less than \$35 million in direct federal funding for the fiscal year requested.

In addition, the undersigned certifies on behalf of the Grantee that:

1. The de minimis rate of 10% will be applied to the Modified Total Direct Costs (MTDC) which means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award).
2. The MTDC will exclude equipment, capital expenditures, rental costs, and the portion of each subaward in excess of \$25,000. Other items will only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.
3. The project costs will be consistently charged as either indirect or direct and will not be double charged or inconsistently charged as both.
4. The documentation to support the methodology (as set forth in 2 CFR Part 200.403) used to determine the MTDC (as set forth in 2 CFR Part 200.68) will be provided as part of the Grantee's budget.
5. The proper use and application of the de minimis rate is the responsibility of _____ (name of Grantee). The Department of the Attorney General may perform an audit to ensure compliance with 2 CFR Part 200. If it is determined that the Grantee is inconsistently charging costs, or is not in compliance with 2 CFR Part 200, the Grantee may be required to return grant funds.

SUBMITTED BY:

Signature: _____

Date: _____

Name: _____
(Head of Grantee Agency or Designee)

Title: _____

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Recipient's Name:

Address:

Is agency a; ☐ Direct or ☐ Sub recipient of OJP, OVW or COPS funding? Law Enforcement Agency? ☐ Yes ☐ No

DUNS Number:

Vendor Number (only if direct recipient)

Name and Title of Contact Person:

Telephone Number:

E-Mail Address:

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply.

☐ Less than fifty employees.

☐ Indian Tribe

☐ Medical Institution.

☐ Nonprofit Organization

☐ Educational Institution

☐ Receiving a single award(s) less than \$25,000.

I, _____ [responsible official], certify that _____

[recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R § 42.302.

I further certify that _____ [recipient] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title

Signature

Date

Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that _____

[recipient], which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

[organization],

[address].

Print or Type Name and Title

Signature

Date

Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of \$500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.

I, _____ [responsible official], certify that _____

[recipient], which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____

[date] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title

Signature

Date

Section D—Declaration Stating that Recipient Subawards a Single Award Over \$500,000

If a recipient agency, subawards a single award of \$500,000 or more then the granting agency should provide a list; including, name, address and DUNS # of each such sub-recipient.

[illegible]

If additional space is necessary, please duplicate this page.

INSTRUCTIONS

Completing the Certification Form

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). *See* 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete *either* Section A *or* Section B *or* Section C, not all three. If recipient completes Section A *or* C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under \$25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Section D

Recipients that (1) receive a single award over \$500,000; *and* (2) subaward a single award of \$500,000 or more must provide a list; including, name, address and DUNS # of each such sub-recipient by completing Section D.

Submission Process

Recipients should download the online Certification Form, complete required sections, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. *The document must have the following title: EEOP Certification.* If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).

Public Reporting Burden Statement

Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated minimum average time to complete and file this application is 20 minutes per form. If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, 810 7th Street, N.W., Washington, D.C. 20531.



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

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

Name of Organization

Address of Organization

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

APPENDIX C

MISCELLANEOUS FORMS

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION FOR TITLE TO PROPERTY

This certifies that all expendable and non-expendable personal property purchased with federal funds by _____, (agency) will be used for criminal justice purposes.

(SEE ATTACHED LIST)

SUBMITTED BY:

Signature: _____ Date: _____

Name: _____ Title: _____

Agency: _____

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT
(SOLE SOURCE JUSTIFICATION)

All sole source procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$150,000), must receive prior approval from CPJAD before entering into the contract. This authorization from CPJAD is not approval for non-competitive sole source procurement; it only authorizes you to proceed with the process to obtain approval utilizing state and county procurement rules. All procurement transactions, whether negotiated or competitively bid and without regard to value, must comply with procurement requirements that provide maximum open and free competition.

Provide a brief description of the program and the project or service to be procured, including the expected procurement amount.

--

Check which circumstance has led to the need for a non-competitive procurement process:

- _____ The item or service is available only from a single source.
- _____ The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- _____ After solicitation of a number of sources, competition is determined to be inadequate.

Provide an explanation of why it is necessary to procure non-competitively. The justification may include the following contractor qualities: (1) organizational expertise; (2) management; (3) knowledge of the program; (4) responsiveness; or (5) expertise of personnel.

Provide a statement of when contractual coverage is required and, if dates are not met, what impact it will have on the program (e.g., how long it would take another contractor to reach the same level of competence). Make sure to include the financial impact in dollars.

Outline the unique qualities of the contractor.

Indicate whether the established procurement rules for non-competitive sole source for goods and services will be followed:

_____ YES

_____ NO: please explain

Describe how this action is in the best interest to the agency.

[] AUTHORIZED TO PURSUE NON-COMPETITIVE PROCUREMENT

[] NOT AUTHORIZED TO PURSUE NON-COMPETITIVE PROCUREMENT

CPJAD Branch Chief

Date

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division
Project Self-Assessment

Agency:					
Project No:					
Contact Name:					
Email Address:					
Phone:				Date:	
<i>Instructions: Place an "x" in the appropriate column.</i>		Yes	No	N/A	N/A=Not Applicable <i>A comment is required for N/A to be considered</i>
General					
1	Has the project director operated or managed state and/or federal funds at any agency within the past 5 years?				
2	Has the fiscal officer operated or managed state and/or federal funds at any agency within the past 5 years?				
3	Is this project new for the agency (operational for less than two years)?				
4	Has there been staff turnover or agency reorganization that affects this project?				
5	Have the majority of project staff worked in the project for less than 2 years?				
6	Does the project have effective procedures and controls (standard policies & procedures)?				
Legal					
1	For Non-Government Organizations: Does the agency/entity have or previously had a lawsuit(s) filed against them? If yes, list all pending and/or previous lawsuits with detailed information regarding who filed the lawsuit, the reason for filing and the final judgment rendered.				
2	Is agency currently or previously been suspended or debarred?				
3	Have any agency staff connected to the project been convicted of a crime linked to any area related to the grant or, if the individual handles money relating to the grant convicted of any crime such as fraud, embezzlement or other crimes involving handling of money?				
Financial Systems					
1	For Government Organizations: Does the agency use a state or county uniform financial management/accounting system? If yes, proceed to question 3.				
2	For Non-Government Organizations: Does the agency have a financial management system in place to track and record the program expenditures? (Example: Quickbooks, Visual Bookkeeper, Socrates Media, Peachtree or a Custom Proprietary System)				
3	Does the accounting system identify the receipts and expenditures of program funds separately for each award?				

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division
Project Self-Assessment

Agency:					
Project No:					
Contact Name:					
Email Address:					
Phone:				Date:	
<i>Instructions: Place an "x" in the appropriate column.</i>		Yes	No	N/A	N/A=Not Applicable <i>A comment is required for N/A to be considered</i>
4	Does the accounting system provide for the recording of expenditures for each award by the budget cost categories shown in the approved budget?				
5	Does the agency require project-funded staff to complete time and activity sheets identified by funding source?				
6	As applied to this project, does the agency have an indirect cost rate that is approved and current?				
	a) If yes, who approved the rate?				

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

CERTIFICATION OF GRANT-FUNDED EMPLOYMENT

Per Title 2 Code of Federal Regulations (CFR) Part 225, *Cost Principles for State, Local, and Indian Tribal Governments*, Appendix B, *Selected Items of Cost*, this is to certify that the below listed employee has worked solely on the specified single Federal award or cost objective, and that charges for the named employee(s) salary and wages are supported by this periodic certification for the period covered by this certification.

This certification is for the Project Period (max 6 months): _____

Employee Name: _____

Position: _____

Project Number: _____

Project Title: _____

Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

Note: The completed certification is to be filed with the official project records along with the employee's time and activity sheets.

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division

VOLUNTEER WAIVER REQUEST
For VOCA Grantees

Project No.: _____ Agency Name: _____

The Victims of Crime Act (VOCA) statute requires VOCA subrecipient grantees (“grantees”) to use volunteers in providing services to crime victims. The requirement is a condition of eligibility for VOCA funds “unless and to the extent the chief executive [the Department of the Attorney General] determines that compelling reasons exist to waive this requirement.” 42 U.S.C.10603 (b) (1) (C). “Compelling reasons” are the following:

1. A statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars volunteers for certain positions; OR
2. The inability to recruit and maintain volunteers after a sustained and aggressive effort.

Answer the following to justify the agency’s need for a waiver from the use of volunteers in providing services to crime victims.

Does the agency utilize volunteers in any capacity?

- ☐ YES
- ☐ NO

If YES, provide an explanation detailing the current capacity of volunteers at your agency. Provide reasons why these volunteers are unable to support victim service projects funded by VOCA:

If NO, check the reason(s) which apply:

- ☐ A statutory or contractual provision concerning liability or confidentiality of victim information prohibits the use of volunteers. Provide an explanation below. Attach a copy of the applicable statute or contract.

- ☐ The agency is unable to recruit and maintain volunteers after a sustained and aggressive effort. Provide an explanation below documenting all efforts to recruit volunteers. Attach supporting documentation as appropriate.

SUBMITTED BY:

Signature: _____

Date: _____

Name: _____
(Head of Agency or Designee)

Title: _____

FOR CPJAD USE ONLY

WAIVER APPROVED _____ DENIED _____

Signature

Date

Name of Authorized Authority

Title

DEPARTMENT OF THE ATTORNEY GENERAL
Crime Prevention and Justice Assistance Division
INDIRECT COSTS COMPUTATION WORKSHEET

Please indicate the basis of the indirect cost rate (select one):

- ☐ Federally-negotiated indirect cost rate (current and approved). Please provide a copy of the agreement to CPJAD.
- ☐ 10% De Minimis Rate. (Note: If Grantee has never received a Federally-negotiated indirect cost rate and Grantee has received less than \$35 million in direct federal funding for the fiscal year requested, Grantee may elect to use the 10% De Minimis Rate.)

Please indicate the cost base used to calculate indirect costs (select one) and fill in the table below, as appropriate:

- ☐ **Modified Total Direct Costs (MTDC):** “MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards and subcontracts up to the first \$25,000 of each subaward or subcontract (regardless of the period of performance of the subawards and subcontracts under the award). MTDC excludes *equipment*, capital expenditures, charges for patient care, *rental costs*, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward and subcontract in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.” (Emphasis added.) 2 C.F.R. §220.68
- ☐ **Direct Salaries and Wages:** Includes only the costs of direct salaries and wages incurred by the organization.
- ☐ **Direct Salaries and Wages plus Fringe Benefits:** Includes the costs of direct salaries and wages and the direct fringe benefits incurred by the organization.

Direct Salaries and Wages (list by position title)	Cost
Subtotal Direct Salaries and Wages	\$ -
Fringe Benefits (list by position title)	Cost
Subtotal Fringe Benefits	\$ -
Services	Cost

Subtotal Services	\$ -		
Materials and Supplies* (Itemize materials and supplies and related costs such as printing, paper, binders, etc.)	Cost		
Subtotal Materials and Supplies	\$ -		
Travel (Itemize airfare, per diem, ground transportation, etc.)	Cost		
Subtotal Travel	\$ -		
Subrecipients (partners) up to \$25,000 per partner	Cost		
Name & Scope of Subrecipient	Total Contract Amount	Amount Applied	
Subtotal Subrecipients			\$ -
Subtotal Direct Costs			\$ -
Your Agency's Indirect Cost Rate (negotiated or 10% De Minimis)			
TOTAL Indirect Costs			\$ -

*For the purposes of indirect costs, the Federal definition of equipment is utilized. The Federal definition defines equipment as tangible personal property having: 1) a useful life of more than one year; and 2) a per unit acquisition cost of \$5,000 or greater is being utilized. All other items should be listed as supplies.

Please return the completed form to the Grant Specialist __, within seven (7) working days of receipt.

APPENDIX D

OVC PROGRAM GUIDELINES

FINAL PROGRAM GUIDELINES

Victims of Crime Act Victim Assistance Grant Program

Office of Justice Programs, Office for Victims of Crime, Department of Justice

SUMMARY: The Office for Victims of Crime (OVC), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), is publishing Final Program Guidelines to implement the victim assistance grant program as authorized by the Victims of Crime Act of 1984, as amended, 42 U.S.C. 10601, et seq. (hereafter referred to as VOCA).

EFFECTIVE DATE: These guidelines are effective from October 1, 1996 (Federal Fiscal Year 1997 VOCA grant program), until further revised by OVC.

SUPPLEMENTARY INFORMATION: VOCA authorizes federal financial assistance to states for the purpose of compensating and assisting victims of crime, providing funds for training and technical assistance, and assisting victims of federal crimes. These Program Guidelines provide information on the administration and implementation of the VOCA victim assistance grant program as authorized in Section 1404 of VOCA, Public Law 98-473, as amended, codified at 42 U.S.C. 10603, and contain information under the following headings: Summary of the Comments to the Proposed Program Guidelines; Background; Allocation of VOCA Victim Assistance Funds; VOCA Victim Assistance Application Process; Program Requirements; Financial Requirements; Monitoring; and Suspension and Termination of Funding. The Guidelines are based on the experience gained and legal opinions rendered since the inception of the grant program in 1986, and are in accordance with VOCA. These Final Program Guidelines are all inclusive. Thus, they supersede any Guidelines previously issued by OVC.

OVC, in conjunction with DOJ's Office of Policy Development, and the Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB), has determined that these Guidelines do not represent a "significant regulatory action" for the purposes of Executive Order 12866 and, accordingly, these Program Guidelines were not reviewed by OMB.

In addition, these Program Guidelines will not have a significant economic impact on a substantial number of small entities; therefore, an analysis of the impact of these rules on such entities is not required by the Regulatory Flexibility Act, codified at 5 U.S.C. 601, et seq.

The program reporting requirements described in the Program Requirements section have been approved by OMB as required under the Paperwork Reduction Act, 44 U.S.C. 3504(h). (OMB Approval Number 1121-0014).

SUMMARY OF THE REVISIONS TO THE 1997 FINAL PROGRAM GUIDELINES

As a result of comments from the field, recent legislative amendments, and modifications of applicable federal regulations, substantive changes were made to four sections of the Proposed Program Guidelines, including: the Availability of Funds, the Application Process, the Program Requirements, and the Financial Requirements. These changes are summarized in the paragraphs below, and incorporated into the complete text of the Final Program Guidelines for Crime Victim Assistance Grants. The Final Program Guidelines also include several technical corrections that are not listed in this summary because they do not affect policy or program implementation.

A. Comments from the Field

In the interest of reaching a more diverse audience and making the review and comment process more convenient for victim service advocates and providers, OVC took several steps. In April, 1996, OVC asked the state VOCA victim assistance program administrators for their comments on the effective edition of the VOCA Victim Assistance Final Program Guidelines (published in October 27, 1995). On the basis of their comments and the suggestions of several other victim advocates, OVC developed Proposed VOCA Victim Assistance Program Guidelines. Throughout the year, the OVC Director and staff met individually and in groups with VOCA administrators and subgrantees to discuss revisions to the Guidelines. In November of 1996, OVC mailed copies of the Proposed Guidelines directly to all of the state VOCA victims assistance and victim compensation program administrators, as well to the representatives of approximately 20 national crime victim advocacy organizations. In early December, the Proposed Guidelines were posted on the OVC Website for review and comment by all interested parties. Finally, the Proposed Guidelines were published in the Federal Register on February 18, 1997.

Since last Spring, OVC has received approximately 90 recommendations, comments, and questions from VOCA administrators, victim service providers, representatives of national victim organizations, and other victim advocates via telephone, mail, fax, and e-mail. The vast majority of the comments supported the proposed changes to the Guidelines.

OVC received comments from experts in elder services that helped OVC redefine "elder abuse" and include specific direction regarding respite care for elders, emergency nursing home shelter for victims of elder abuse, and inclusion of adult care providers in community cooperation efforts. These comments were made by state and national organizations, including the US Department of Health and Human Services Administration on Aging and the National Association of State Units on Aging.

OVC also received comments from state and national domestic violence organizations, such as the Pennsylvania Coalition Against Domestic Violence and AYUDA, supporting the proposal to expand VOCA-funded emergency legal assistance to include child custody and visitation when such assistance is from providers with a demonstrated history of advocacy on behalf of domestic violence victims.

All of the comments received were invaluable in helping OVC prepare the Final Victim Assistance Program Guidelines. A summary of the changes occurring as a result of comments from the field are listed below in the order in which they appear in the Final Program Guidelines.

1. **Definition of Crime Victim to Include Financial Harm.** In Section I., Background, the definition of crime victim has been modified to specifically include victims of financial exploitation. Although VOCA-funded programs cannot restore the financial losses suffered by victims of fraud, victims are eligible for the counseling, criminal justice advocacy, and other support services offered by VOCA-funded victim assistance programs.
2. **Training of Adult Protective Services Personnel.** The section on the VOCA Victim Assistance Application Process (III.B.2.c.), which lists allowable uses of the administrative cost provision, has been modified to specifically include training for aging and adult protective service providers.
3. **Submission of Administrative Cost Provision Budget.** Previous editions of the Guidelines required state grantees to submit a budget itemizing projected administrative fund expenditures and a statement describing the types of activities they would support and how the expenditure was expected to improve the administration of the VOCA program.

The State Grantee Application Process section (III.B.2.), which describes the administrative cost provision, has been modified to lessen the burden on state grantees. Those states that use administrative funds must submit a statement to OVC that reports only the amount of the total grant that will be used as administrative funds. A special condition will be added to the award document, and periodic OJP financial reviews will be conducted to ensure states' compliance with the Program Guidelines and OJP Financial Guide to determine whether administrative funds have been used for allowable purposes.

4. **Training for Non-VOCA Funded Personnel.** The State Grantee Application Process section (III.C.), which outlines the allowable use of training funds, has been expanded to specifically include non-VOCA funded staff in addition to VOCA-funded personnel.
5. **Submission of Training Cost Provision Budget.** In previous editions of the Guidelines, state grantees were required to submit a budget itemizing projected training expenses and a statement describing the needs of the providers and the goals of the training. The section on the State Grantee Application Process (III.C.), has been modified to lessen the burden on states. States using the VOCA training funds must only report the amount of the total grant that will be used for training. States still must comply with OVC the 20% match requirement and other guidance defining allowable uses for training funds.
6. **Definition of Victims of Federal Crime.** In response to requests for clarification, the Program Requirements section (IV.A.4.), has been modified to include a definition of "victims of federal crime." For the purposes of this program, a victim of federal crime is a victim of an offense that violates a federal criminal statute or regulation. Federal crimes also include crimes that occur in an area where the federal government has jurisdiction, such as Indian reservations, some national parks,

some federal buildings, and military installations.

7. Definition of Elder Abuse. The Program Requirements section (IV.A.4.) describing grantee eligibility requirements, has been modified so that the definition of "elder abuse" now focuses on describing the offense, rather than on characterizing the victim. Hence, the definition, "abuse of vulnerable adults," has been expanded to include "the mistreatment of older persons through physical, sexual, or psychological violence; neglect; or economic exploitation and fraud."

8. Identifying Underserved Victims of Crime. The Program Requirements section (IV.A.4.) describing the state grantee eligibility requirements, has been modified to encourage states to identify gaps in available services, not just by the types of crimes committed, but also by victims' demographic characteristics. Thus, these Final Guidelines ask grantees to examine the possibility that in a given state, "underserved" victims may also be defined by demographic characteristics such as their status as senior citizens, non-English speaking residents, disabled persons, members of racial or ethnic minorities, or by virtue of the fact that they are residents of rural or remote areas, or inner cities.

9. Funding New Programs. There was confusion about OVC's intention regarding the funding of new crime victim programs. Hence, language has been added to Section IV, the Program Requirements (IV.B.3.), clarifying that new programs that have not yet demonstrated a record of providing services may be eligible to receive VOCA funding if they can demonstrate that 25-50 percent of their financial support comes from non-federal sources. States are responsible for establishing the base level of non-federal support required within the 25-50 percent range.

10. Funding Unfunded Mandates. Recently, many state legislatures have passed laws establishing important new rights for crime victims. OVC wishes to clarify that VOCA funds may be used for the purpose of implementing these laws. Therefore, restrictive language from the previous Guidelines has been eliminated. Please note that VOCA crime victim assistance funds still may not be used to supplant state and local funds that would otherwise be available for crime victim services.

11. Child Abuse and Adult Protective Service Agencies. Section IV., the Program Requirements section (IV.C.), which describes the criteria for eligible subrecipient organizations, has been modified to specifically include child abuse programs and treatment facilities and adult protective service agencies.

12. Legal Service Agencies or Programs with Records of Serving Victims of Domestic Violence. The Program Requirements section (IV.C.5.), which lists the local public agencies eligible to receive VOCA subgrant funds, has been modified to specifically include legal service agencies or programs with a demonstrated history of advocacy on behalf of domestic violence victims, including children.

13. State Grantees as Subrecipients. Section IV., the Program Requirements (IV.C.5), has been modified with regard to subgrants to state grantees. Since the intention of the VOCA grant program is to support and enhance the crime victim services provided by community agencies, state grantees that meet the definition of an eligible subrecipient organization may not award themselves more than 10

percent of their annual VOCA award. This limitation applies to all states and territories, except for the Northern Mariana Islands, Guam, American Samoa, and the Republic of Palau.

14. Nursing Homes as Emergency Shelters. Under the Program Requirements section (IV.E.1.a.), which lists the allowable costs for direct services, the Guidelines have been modified to clarify that emergency shelter includes short-term nursing home shelter for elder abuse victims for whom no other safe, short-term residence is available.

15. Emergency Legal Assistance. The Program Requirements section (IV.E.1.a.), which lists the allowable services, activities, and costs at the subrecipient level, has been modified to allow subgrantees discretion in providing victims of domestic violence with legal assistance such as child custody and visitation proceedings "when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim." The allowable "Contracts for Professional Services" section (IV.E.2.g.) also has been modified to include assistance with emergency custody and visitation proceedings from providers with a demonstrated history of advocacy on behalf of domestic violence victims.

16. Cost of Respite Care. The Program Requirements, section (IV.E.1.c.), has been modified to specifically state that assistance with participation in criminal justice proceedings may include the cost of caring for a dependent adult when this enables a victim to attend court.

17. Cost of Restitution Advocacy on Behalf of Individuals. The Program Requirement section (IV.E.1.c.), Has been modified to state clearly that restitution advocacy on behalf of specific crime victims is an allowable activity.

18. Restorative Justice. In many cases, victims are not familiar with the nature and availability of restorative justice programs. Therefore, the Program Requirements section (IV.E.1.h.), Has been modified to clarify that restorative justice opportunities, where crime victims meet with perpetrators, are allowable, if such meetings are requested "or voluntarily agreed to" by the victim. In addition, since it is impossible to guarantee the therapeutic value of any activity, this section of the Guidelines has been further modified to state that restorative justice programs must have "possible beneficial or" therapeutic value to crime victims.

19. Allowable Costs for Making Services Accessible to Victims with Disabilities. The Program Requirements section (IV.E.2.d.), listing allowable "non-direct" costs and services, has been modified to clarify that VOCA funds may be used to purchase items such as Braille equipment for the blind or TTY/TTD machines for the deaf, or to make minor building improvements that make services more accessible to victims with disabilities. Additional guidance can be found in the Office of Justice Programs, Office of the Comptroller, Financial Guide.

20. Advanced Technologies. In the Program Requirements section (IV.E.2.f.), OVC offers the states clarification that all subrecipients receiving VOCA funds for advanced technologies such as computers and victim notification systems must meet the usual program eligibility requirements as set

forth in the Guidelines.

21. Electronic Submission of Subgrant Award Reports. In the interest of meeting OVC's mandate to collect and maintain accurate and timely information on the disbursement of VOCA funds, the section describing the subgrant award report requirements (V.A.) has been modified. Beginning with the Federal Fiscal Year (FY) 1997 VOCA grant award, state grantees are required to transmit their Subgrant Award Report information to OVC via the automated subgrant dial-in system within 90 days of the date of the subaward. Grantees can access the system without incurring a long distance telephone charge by utilizing the subgrant dial-in 1-800 number. OVC will no longer accept manual submission of the Subgrant Award Reports. States and territories outside of the continental US are exempt from the requirement to use the subdial system, but these grantees must complete and submit the Subgrant Award Report form, OJP 7390/2A, for each VOCA subrecipient.

B. Legislative Changes

1. The Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132). The Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) (hereafter, "The Antiterrorism Act"), was signed into law on April 24, 1996. This legislation contained a number of victim related provisions that amended VOCA, including four provisions concerning the "Availability of (VOCA victim assistance) Grant Funds."

a. Higher Base Award (II.C.). The Antiterrorism Act increases the base amount for victim assistance grants from \$200,000 to \$500,000. The territories of Northern Mariana Islands, Guam, and American Samoa will continue to receive a base amount of \$200,000, with the Republic of Palau's share governed by the Compact of Free Association between the US and the Republic of Palau.

b. OVC Reserve Fund (II.B.2.). The Antiterrorism Act authorizes the OVC Director to establish a reserve fund, up to \$50 million. Reserve fund monies may be used for supplemental grants to assist victims of terrorist acts or mass violence occurring within or outside the US. The OVC Director may award reserve funds to the following entities:

1) States for providing compensation and assistance to their state residents, who, while outside of the borders of the US, become victims of a terrorist act or mass violence. The beneficiaries, however, cannot be persons who are already eligible for compensation under the Omnibus Diplomatic Security and Antiterrorism Act of 1986. Individuals covered under the Omnibus Diplomatic Security Act include those who are taken captive because of their relationship with the US government as a member of the US Civil Service, as well as other US citizens, nationals, or resident aliens who are taken captive while rendering service to the US similar to that of civil servants. Dependent family members of such persons also are covered under the Act.

2) Eligible state crime victim compensation and assistance programs for providing compensation and emergency relief for the benefit of victims of terrorist acts or mass violence occurring within the US

3) US Attorneys' Offices for use in coordination with state victim compensation and assistance efforts in providing relief to victims of terrorist acts or mass violence occurring within the US

4) Eligible state compensation and assistance programs to offset fluctuation in the funds during years in which the Fund decreases and additional monies are needed to stabilize funding for state programs.

c. Unobligated Grant Funds (II.B.4.). Beginning with FY 1997 VOCA grants, funds not obligated by the end of the grant period, up to an annual national maximum of \$500,000, will be returned to the Fund, and not to the General Treasury, as was the practice in previous years. Returned funds in excess of \$500,000 in a given year shall be returned to the Treasury. Once any portion of a state's grant is returned to the Fund, the funds must be redistributed according to the formula established by VOCA and the Proposed Program Guidelines. States are encouraged to monitor closely the expenditure of VOCA funds throughout the grant period to avoid returning grant monies to OVC and/or the Treasury.

d. Grant Period Extended (II.B.3.). The Antiterrorism Act extended the VOCA victim assistance grant period from the year of award plus one, to the year of award plus two. Subsequent legislation further extended the grant period to the year of award plus three.

2. Omnibus Appropriations Act of 1997. The Omnibus Appropriations Act of 1997 (P.L. 104-208) was passed by Congress and signed into law by President Clinton in September, 1996. This Act further extended the grant period to the year of award plus three. This change is effective for all FY 1997 grants. The Final Program Guidelines clarify that funds are available for obligation beginning October 1 of the year of the award, through September 30 of the FY three years later. For example, grants awarded in November, 1996 (FY 1997) are available for obligation beginning October 1, 1996 through September 30, 2000. This modification is contained in the "Availability of Funds" section (II.B.3) of the Final Program Guidelines.

C. Changes in Applicable Federal Regulations

1. Mandatory Enrollment in US Treasury Department's Automated Clearing House (ACH) Vendor Express Program. In accordance with the Debt Collection Improvement Act of 1996, the US Treasury Department revised its regulations regarding federal payments. The Final Program Guidelines have been modified to require that, effective July 26, 1996, all federal payments to state VOCA victim assistance and compensation grantees must be made via electronic funds transfer.

States that are new award recipients or those that have previously received funds in the form of a paper check from the US Treasury must enroll in the Treasury Department's ACH Vendor Express program through OJP before requesting any federal funds. This means that VOCA grantees can no longer receive drawdowns against their awards via paper check mailed from the Treasury. Grant recipients must enroll in ACH for Treasury to electronically transfer drawdowns directly to their banking institutions. States that are currently on the Letter of Credit Electronic Certification System (LOCES) will be automatically enrolled in the ACH program. Enrollment forms will be included in the award packet. Enrollment in ACH need only be completed once. This modification is included in

the "Application Process" section (III.A.6.) of the Final Program Guidelines.

2. Higher Audit Threshold. In response to suggestions made by many recipients of federal grant awards, including VOCA grant recipients, OMB Circular A-133 is being revised. Until the revisions are final, state and local government agencies that receive \$100,000 or more in federal funds during their state fiscal year are required to submit an organization-wide financial and compliance audit report. Recipients of \$25,000 to \$100,000 in federal funds are required to submit a program- or organization-wide audit report as directed by the granting agency. Recipients receiving less than \$25,000 in federal funds are not required to submit a program- or organization-wide financial and compliance audit report for that year. Nonprofit organizations and institutions of higher education that expend \$300,000 or more in federal funds per year shall have an organization-wide financial and compliance audit. Grantees must submit audit reports within 13 months after their state fiscal year ends.

Previously, states that received \$100,000 or more in federal financial assistance in any fiscal year were required to have a single audit for that year. States and subrecipients receiving at least \$25,000, but less than \$100,000, in a fiscal year had the option of performing a single audit or an audit of the federal program, and state and local governments receiving less than \$25,000 in any fiscal year were exempt from audit requirements. This modification is contained in the "Financial Requirements" section (IV.A.) Of the Proposed Program Guidelines.

GUIDELINES FOR CRIME VICTIM ASSISTANCE GRANTS

I. BACKGROUND

In 1984, VOCA established the Crime Victims Fund (Fund) in the US Treasury and authorized the Fund to receive deposits of fines and penalties levied against criminals convicted of federal crimes. This Fund provides the source of funding for carrying out all of the activities authorized by VOCA.

OVC makes annual VOCA crime victim assistance grants from the Fund to states. The primary purpose of these grants is to support the provision of services to victims of crime throughout the Nation. For the purpose of these Program Guidelines, services are defined as those efforts that (1) respond to the emotional and physical needs of crime victims; (2) assist primary and secondary victims of crime to stabilize their lives after a victimization; (3) assist victims to understand and participate in the criminal justice system; and (4) provide victims of crime with a measure of safety and security such as boarding-up broken windows and replacing or repairing locks.

For the purpose of the VOCA crime victim assistance grant program, a crime victim is a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime.

VOCA gives latitude to state grantees to determine how VOCA victim assistance grant funds will best be used within each state. However, each state grantee must abide by the minimal requirements

outlined in VOCA and these Program Guidelines.

II. ALLOCATION OF VOCA VICTIM ASSISTANCE FUNDS

A. Distribution of the Crime Victims Fund

OVC administers the deposits made into the Fund for programs and services, as specified in VOCA. The amount of funds available for distribution each year is dependent upon the total deposits into the Fund during the preceding Federal Fiscal Year (October 1 through September 30).

Pursuant to Section 1402 (d) of VOCA, deposits into the Fund will be distributed as follows:

1. The first \$3,000,000 deposited in the Fund in each fiscal year is available to the Administrative Office of the US Courts (AOUSC) for administrative costs to carry out the functions of the judicial branch under Sections 3611 and 3612 of Title 18 US Code. (Legislation is being drafted to repeal this provision. If passed by Congress and signed by the President, AOUSC will no longer receive an allocation from the Fund.)
2. Of the next \$10,000,000 deposited in the Fund in a particular fiscal year,
 - a. 85% shall be available to the Secretary of Health and Human Services for grants under Section 4(d) of the Child Abuse Prevention and Treatment Act for improving the investigation and prosecution of child abuse cases;
 - b. 15% shall be available to the Director of the Office for Victims of Crime for grants under Section 4 (d) of the Child Abuse Prevention and Treatment Act for assisting Native American Indian tribes in developing, establishing, and operating programs to improve the investigation and prosecution of child abuse cases.
3. Of the remaining amount deposited in the Fund in a particular fiscal year,
 - a. 48.5% shall be available for victim compensation grants,
 - b. 48.5% shall be available for victim assistance grants; and
 - c. 3% shall be available for demonstration projects and training and technical assistance services to eligible crime victim assistance programs and for the financial support of services to victims of federal crime by eligible crime victim assistance programs.

B. Availability of Funds

1. VOCA Victim Assistance Grant Formula. All states, the District of Columbia, the Commonwealth of Puerto Rico, the US Virgin Islands, Guam, American Samoa, Northern Mariana Islands, and Palau (hereinafter referred to as "states") are eligible to apply for, and receive, VOCA victim assistance grants. See Section 1404(d)(1) of VOCA, codified at 42 U.S.C. 10603(d)(1).

2. Reserve Fund. As the result of provisions in the Antiterrorism Act amending VOCA, the OVC Director is authorized to retain funds in a reserve fund, up to \$50 million. The Director may utilize the reserve funds in order to:

a. Award supplemental grants to assist victims of terrorist acts or mass violence outside or within the US The OVC Director may grant reserve funds for such purposes to the following entities:

1) States for providing compensation and assistance to their state residents, who while outside of the US become victims of a terrorist act or mass violence. The beneficiaries, however, cannot be persons who are already eligible for compensation under the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

Individuals covered under the Omnibus Diplomatic Security and Antiterrorism Act include persons who are taken captive because of their relationship with the US Government as a member of the US Civil Service, as well as other US citizens, nationals, or resident aliens who are taken captive while rendering service to the US similar to that of civil servants. Dependent family members of such persons also are covered under the Omnibus Diplomatic Security Act.

2) Eligible state crime victim compensation and assistance programs for providing emergency relief, including crisis assistance, training, and technical assistance for the benefit of victims of terrorist acts or mass violence occurring within the US

3) US Attorney's Offices for use in coordination with state victim compensation and assistance efforts in providing relief to victims of terrorist acts or mass violence occurring within the US

b. Offset Fluctuations in Fund. The Director of OVC may also use the reserve fund to offset fluctuations in Fund deposits for state compensation and assistance programs in years in which the Fund decreases and additional monies are needed to stabilize programs.

3. Grant Period. Federal legislation passed in 1996 also makes victim assistance grant funds available for expenditure throughout the FY of award as well as in the next three fiscal years. The FY begins on October 1 and ends on September 30. For example, grants awarded in December, 1996 (FY 1997) are available for obligation beginning October 1, 1996 through September 30, 2000.

4. Grant Deobligations. VOCA grant funds not obligated at the end of the award period will be returned to the Crime Victims Fund. In a given fiscal year, no more than \$500,000 of the remaining unobligated funds can be returned to the Fund. Amounts in excess of \$500,000 shall be returned to the Treasury. Once any portion of a state's grant is returned to the Fund, the funds must be redistributed according to the rules established by VOCA and the Final Program Guidelines, so states are encouraged to monitor closely the expenditure of VOCA funds throughout the grant period to ensure that no funds are returned.

C. Allocation of Funds to States

From the Fund deposits available for victim assistance grants, each state grantee receives a base amount of \$500,000, except for the territories of Northern Mariana Islands, Guam, and American Samoa, which are eligible to receive a base amount of \$200,000. The Republic of Palau's share is governed by the Compact of Free Association between the US and the Republic of Palau. The remaining Fund deposits are distributed to each state, based upon the state's population in relation to all other states, as determined by current census data.

D. Allocation of Funds within the States

The Governor of each state designates the state agency that will administer the VOCA victim assistance grant program. The designated agency establishes policies and procedures, which must meet the minimum requirements of VOCA and the Program Guidelines.

VOCA funds granted to the states are to be used by eligible public and private nonprofit organizations to provide direct services to crime victims. States have sole discretion for determining which organizations will receive funds, and in what amounts, as long as the recipients meet the requirements of VOCA and the Program Guidelines.

State grantees are encouraged to develop a VOCA program funding strategy, which should consider the following: the range of victim services throughout the state and within communities; the unmet needs of crime victims; the demographic profile of crime victims; the coordinated, cooperative response of community organizations in organizing services for crime victims; the availability of services to crime victims throughout the criminal justice process; and the extent to which other sources of funding are available for services.

State grantees are encouraged to expand into new service areas as needs and demographics of crime change within the state. For example, when professional training, counseling, and debriefings are made available to victim assistance providers, dispatchers, and law enforcement officers in rural or other remote areas, services to victims in these areas improve dramatically. Victim services in rural or remote areas can also be improved by using VOCA funds to support electronic networking through computers, police radios, and cellular phones.

Many state grantees use VOCA funds to stabilize victim services by continuously funding selected organizations. Some state grantees end funding to organizations after several years in order to fund new organizations. Other state grantees limit the number of years an organization may receive VOCA funds. These practices are within the state grantee's discretion and are supported by OVC, when they serve the best interests of crime victims within the state.

State grantees may award VOCA funds to organizations that are physically located in an adjacent state, when it is an efficient and cost-effective mechanism available for providing services to victims who reside in the awarding state. When adjacent state awards are made, the amount of the award must be proportional to the number of victims to be served by the adjacent-state organization. OVC recommends that grantees enter into an interstate agreement with the adjacent state to address monitoring of the VOCA subrecipient, auditing federal funds, managing noncompliance issues, and reporting requirements. States must notify OVC of each VOCA award made to an organization in another state.

III. VOCA VICTIM ASSISTANCE APPLICATION PROCESS

A. State Grantee Application Process

Each year, OVC issues a Program Instruction and Application Kit to each designated state agency. The Application Kit contains the necessary forms and information required to apply for VOCA grant funds, including the Application for Federal Assistance, Standard Form 424. The amount for which each state may apply is included in the Application Kit. At the time of application, state grantees are not required to provide specific information regarding the subrecipients that will receive VOCA victim assistance funds.

Completed applications must be submitted on or before the stated deadline, as determined by OVC.

In addition to the Application for Federal Assistance, state grantees shall submit the following information:

1. Single Audit Act Information, specifically, the name and address of the designated cognizant federal agency, the federal agency assigned by OMB, and the dates of the state fiscal year.
2. Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace requirements; Civil Rights Compliance, and any other certifications required by OJP and OVC. In addition, states must complete a disclosure form specifying any lobbying activities that are conducted.
3. An assurance that the program will comply with all applicable nondiscrimination requirements.

4. An assurance that in the event a federal or state administrative agency makes a finding of discrimination after a due process hearing, on the grounds of race, color, religion, origin, sex, or disability against the program, the program will forward a copy of the finding to OJP, Office for Civil Rights (OCR).
5. The name of the Civil Rights contact person who has lead responsibility for ensuring that all applicable civil rights requirements are met and who shall act as liaison in civil rights matters with OCR.
6. Enrollment in Automated Clearing House (ACH). State agencies that are new award recipients, or those that have previously received funds in the form of a paper check from the US Treasury, must enroll in the Treasury Department's ACH Vendor Express program through OJP before any federal funds will be disbursed. States that are currently on the Letter of Credit Electronic Certification System (LOCES) will be automatically enrolled in the ACH program. Enrollment in ACH need only be completed once.
7. Administrative Cost Provision Notification. States must indicate in a letter transmitting their annual grant application whether they intend to use the administrative cost provision. Additional information about the administrative cost provision is set forth in the following section.

B. Administrative Cost Provision for State Grantees

Each state grantee may retain up to, but not more than, 5% of each year's grant for administering the VOCA victim assistance grant at the state grantee level with the remaining portion being used exclusively for direct services to crime victims or to train direct service providers in accordance with these Program Guidelines, as authorized in Section 1404(b)(3), codified at 42 U.S.C. 10603 (b)(3). Administrative funds must be expended during the project period for which the grant was awarded. States are not authorized to roll-over administrative funds from one project period to the next. The administrative cost provision is available only to the state grantee and not to VOCA subrecipients. State grantees are not required to match the portion of the grant that is used for administrative purposes. The state administrative agency may charge any federally approved indirect cost rate to this grant. However, any indirect costs requested must be paid from the 5 percent administrative funds.

This administrative cost provision is to be used by the state grantee to expand, enhance, and/or improve the state's previous level of effort in administering the VOCA victim assistance grant program at the state level and to support activities and costs that impact the delivery and quality of services to crime victims throughout the state. Thus, grantees will be required to certify that VOCA administrative funds will not be used to supplant state funds. This information will assist OVC in evaluating requests to use administrative funds.

State grantees will not be in violation of the nonsupplantation clause if there is a decrease in the state's previous financial commitment towards the administration of the VOCA grant programs in the following situations: 1) A serious loss of revenue at the state level, resulting in across-the-board budget restrictions. 2) A decrease in the number of "state-supported" staff positions used to meet the

state's "maintenance of effort" in administering the VOCA grant programs.

States are required to notify OVC if there is a decrease in the amount of its previous financial commitment to the cost of administering the VOCA program.

State grantees are not required to match the portion of the grant that is used for administrative purposes.

1. The following are examples of activities that are directly related to managing the VOCA grant and can be supported with administrative funds:

a. Pay salaries and benefits for staff and consultant fees to administer and manage the financial and programmatic aspects of VOCA;

b. Attend OVC-sponsored and other relevant technical assistance meetings that address issues and concerns to state administration of victims' programs;

c. Monitor VOCA Victim Assistance subrecipients, and potential subrecipients, provide technical assistance, and/or evaluation and assessment of program activities;

d. Purchase equipment for the state grantee such as computers, software, fax machines, copying machines;

e. Train VOCA direct service providers;

f. Purchase memberships in crime victims organizations and victim-related materials such as curricula, literature, and protocols; and

g. Pay for program audit costs;

h. Pay for indirect costs at a federally approved indirect cost rate that when applied, does not exceed the 5 percent administrative cost allowance.

2. The following activities impact the delivery and quality of services to crime victims throughout the state and, thus, can be supported by administrative funds:

a. Develop strategic plans on a state and/or regional basis, conduct surveys and needs assessments, promote innovative approaches to serving crime victims such as through the use of technology;

- b. Improve coordination efforts on behalf of crime victims with other federally funded programs and with federal, state, and local agencies and organizations;
- c. Provide training on crime victim issues to state, public, and nonprofit organizations that serve or assist crime victims such as law enforcement officials, prosecutors, judges, corrections personnel, social service workers, child and youth service providers, aging and adult protective service providers, and mental health and medical professionals;
- d. Purchase, print, and/or develop publications such as training manuals for service providers, victim services directories, and brochures;
- e. Coordinate and develop protocols, policies, and procedures that promote systemic change in the ways crime victims are treated and served; and
- f. Train managers of victim service agencies.

Each state grantee that chooses to use administrative funds is required to submit a statement to OVC reporting the amount of the total grant that will be used as administrative funds. State grantees may notify OVC when the decision is made to exercise this option or at the time the Application for Federal Assistance is submitted. In addition, the grantee must maintain adequate documentation to support the expenditure of these funds.

A state may modify projections set forth in their application by notifying OVC, in writing, of the revised amount of the total grant that will be used as administrative funds. Failure to notify OVC of modifications will prevent the state from meeting its obligation to reconcile its State-wide Report with its Final Financial Status Report.

Administrative grant funds can only support that portion of a staff person's time devoted to the VOCA assistance program. If the staff person has other functions, the proportion of their time spent on the VOCA assistance program must be documented using regular time and attendance records. The documentation must provide a clear audit trail for the expenditure of grant funds.

State grantees may choose to award administrative funds to a "conduit" organization that assists in selecting qualified subrecipients and/or reduces the state grantee's administrative burden in implementing the grant program. However, the use of a "conduit" organization does not relieve the state grantee from ultimate programmatic and financial responsibilities.

C. Use of Funds for Training

State grantees have the option of retaining a portion of their VOCA victim assistance grant for conducting statewide and/or regional trainings of victim services staff. The maximum amount permitted for this purpose is one percent of the state's grant. State grantees that choose to sponsor statewide or regional trainings are not precluded from awarding VOCA funds to subrecipients for other types of staff development.

Statewide or regional training supported with training funds should target a diverse audience of victim service providers and allied professionals, including VOCA funded and non-VOCA funded personnel, and should provide opportunities to consider issues related to types of crime, gaps in services, coordination of services, and legislative mandates.

Each training activity must occur within the grant period, and all training costs must be obligated prior to the end of the grant period. VOCA grant funds cannot be used to supplant the cost of existing state administrative staff or related state training efforts.

Each state grantee that chooses to use training funds is required to submit a statement to OVC reporting the amount of the total grant that will be used to pay for training. Grantees must maintain adequate documentation to support the expenditure of these funds.

A state may modify projections set forth in their application by notifying OVC of the revised amount of the total grant that will be used as training funds. Failure to notify OVC of modifications will prevent the state from meeting its obligation to reconcile its Statewide Report with its Final Financial Status Report.

The VOCA funds used for training by the state grantee must be matched at 20 percent of the total project cost, cash or in-kind, and the source of the match must be described. For further information regarding match requirements, see the section on Subrecipient Organization Eligibility Requirements (IV.B.).

IV. PROGRAM REQUIREMENTS

A. State Grantee Eligibility Requirements

When applying for the VOCA victim assistance grant, state grantees are required to give assurances that the following conditions or requirements will be met:

1. Must Be an Eligible Organization. States should ensure that only eligible organizations receive VOCA funds, and that these funds are used only for services to victims of crime, except those funds that the state grantee uses for training victim service providers and/or administrative purposes, as authorized by Section 1404(b) codified at 42 U.S.C. 10603(b). See section E. Services, Activities, and Costs at the Subrecipient Level for examples of direct services to crime victims.

2. Nonsupplantation. VOCA crime victim assistance grant funds will be used to enhance or expand services and will not be used to supplant state and local funds that would otherwise be available for crime victim services. See Section 1404(a)(2)(c), codified at 42 U.S.C. 10603(a)(2)(C). This supplantation clause applies to state and local public agencies only.

3. Priority Areas. Priority shall be given to victims of sexual assault, domestic abuse, and child abuse. Thus, a minimum of 10% of each FY's grant (30% total) will be allocated to each of these categories of crime victims. This grantee requirement does not apply to VOCA subrecipients.

Each state grantee must meet this requirement, unless it can demonstrate to OVC that: (1) a "priority" category is currently receiving significant amounts of financial assistance from the state or other funding sources; (2) a smaller amount of financial assistance, or no assistance, is needed from the VOCA victim assistance grant program; and (3) crime rates for a "priority" category have diminished.

4. "Previously Underserved" Priority Areas. An additional 10% of each VOCA grant will be allocated to victims of violent crime (other than "priority" category victims) who were "previously underserved." These underserved victims of either adult or juvenile offenders may include, but are not limited to, victims of federal crimes; survivors of homicide victims; or victims of assault, robbery, gang violence, hate and bias crimes, intoxicated drivers, bank robbery, economic exploitation and fraud, and elder abuse.

For the purposes of this program, a victim of federal crime is a victim of an offense that violates a federal criminal statute or regulation. Federal crimes also include crimes that occur in an area where the federal government has jurisdiction, such as Indian reservations, some national parks, some federal buildings, and military installations.

For the purposes of this program, elder abuse is defined as the mistreatment of older persons through physical, sexual, or psychological violence, neglect, or economic exploitation and fraud.

To meet the underserved requirement, state grantees must identify crime victims by the types of crimes they have experienced (e.g., drunk driving, sexual assault, or domestic violence). States are encouraged to also identify gaps in available services by victims' demographic characteristics. For example, in a given state, "underserved" victims may be best defined according to their status as senior citizens, non-English speaking residents, persons with disabilities, members of racial or ethnic minorities, or by virtue of the fact that they are residents of rural or remote areas, or inner cities. Each state grantee has latitude for determining the method for identifying "previously underserved" crime victims, which may include public hearings, needs assessments, task forces, and meetings with statewide victim services agencies.

Each state grantee must meet this requirement, unless it can justify to OVC that (a) services to these victims of violent crime are receiving significant amounts of financial assistance from the state or other funding sources; (b) a smaller amount of financial assistance, or no assistance, is needed from

the VOCA victim assistance grant program; and (c) crime rates for these victims of violent crime have diminished.

5. Financial Record Keeping and Program Monitoring. Appropriate accounting, auditing, and monitoring procedures will be used at the grantee and subrecipient levels so that records are maintained to ensure fiscal control, proper management, and efficient disbursement of the VOCA victim assistance funds, in accordance with the OJP Financial Guide, effective edition.

6. Compliance with Federal Laws. Compliance with all federal laws and regulations applicable to federal assistance programs and with the provisions of Title 28 of the Code of Federal Regulations (CFR) applicable to grants.

7. Compliance with VOCA. Compliance by the state grantee and subrecipients with the applicable provisions of VOCA and the Final Program Guidelines.

8. Required Reports Submitted to OVC. Programmatic and financial reports shall be submitted. [See Program Requirements (Section IV.) and Financial Requirements (Section V.) for reporting requirements and timelines.]

9. Civil Rights. Prohibition of Discrimination for Recipients of Federal Funds. No person in any state shall, on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or denied employment in connection with any program or activity receiving federal financial assistance, pursuant to the following statutes and regulations: Section 809(c), Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789d, and Department of Justice Nondiscrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, et seq.; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794; Subtitle A, Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, et seq. and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681-1683; and the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101, et seq.

10. Obligation to Report Discrimination Finding. In the event a federal or state court or administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, sex, age, or disability against a recipient of VOCA victim assistance funds, state grantees are required to forward a copy of the finding to the Office for Civil Rights (OCR) for OJP.

11. Obligation to Report Other Allegations/Findings. In the event of a formal allegation or a finding of fraud, waste, and/or abuse of VOCA funds, state grantees are required to immediately notify OVC of said finding. State grantees are also obliged to apprise OVC of the status of any on-going investigations.

12. Coordination with State VOCA Compensation Program and Federal Law Enforcement. OVC encourages state grantees to coordinate their activities with their state's VOCA compensation program

and the US Attorneys' Offices and FBI Field Offices within their state. Only with an emphasis on coordination will a continuum of services be ensured for all crime victims. Coordination strategies could include inviting Compensation Program Directors and Federal Victim-Witness Coordinators to serve on subgrant review committees; providing Compensation Program Directors and Federal Victim-Witness Coordinators with a list of VOCA-funded organizations; attending meetings organized by Compensation Program Directors and Federal Victim-Witness Coordinators regarding the provision of victim assistance services; providing training activities for subrecipients to learn about the compensation program; developing joint guidance, where applicable, on third-party payments to VOCA assistance organizations; and providing training for compensation program staff on the trauma of victimization, particularly for victims of economic crime and survivors of homicide victims.

B. Subrecipient Organization Eligibility Requirements

VOCA establishes eligibility criteria that must be met by all organizations that receive VOCA funds. These funds are to be awarded to subrecipients only for providing services to victims of crime through their staff. Each subrecipient organization shall meet the following requirements:

1. **Public or Nonprofit Organization.** To be eligible to receive VOCA funds, organizations must be operated by public or nonprofit organization, or a combination of such organizations, and provide services to crime victims.
2. **Record of Effective Services.** Demonstrate a record of providing effective services to crime victims. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.
3. **New Programs.** Those programs that have not yet demonstrated a record of providing services may be eligible to receive VOCA funding, if they can demonstrate that 25-50 percent of their financial support comes from non-federal sources. It is important that organizations have a variety of funding sources besides federal funding in order to ensure their financial stability. States are responsible for establishing the base level of nonfederal support required within the 25-50 percent range.
4. **Program Match Requirements.** The purpose of matching contributions is to increase the amount of resources available to the projects supported by grant funds. Matching contributions of 20% (cash or in-kind) of the total cost of each VOCA project (VOCA grant plus match) are required for each VOCA-funded project and must be derived from nonfederal sources, except as provided in the OJP Financial Guide, effective edition (Part III. Post Award Requirements, Chapter 3. Matching or Cost Sharing). All funds designated as match are restricted to the same uses as the VOCA victim assistance funds and must be expended within the grant period. Match must be provided on a project-by-project basis. Any deviation from this policy must be approved by OVC.

For the purposes of this program, in-kind match may include donations of expendable equipment, office supplies, workshop or classroom materials, work space, or the monetary value of time

contributed by professionals and technical personnel and other skilled and unskilled labor, if the services they provide are an integral and necessary part of a funded project. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the subrecipient's organization. If the required skills are not found in the subrecipient's organization, the rate of compensation must be consistent with the labor market. In either case, fringe benefits may be included in the valuation. The value placed on loaned or donated equipment may not exceed its fair market value. The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in privately-owned buildings in the same locality.

a. Record Keeping. VOCA recipients and their subrecipients must maintain records that clearly show the source, the amount, and the period during which the match was allocated. The basis for determining the value of personal services, materials, equipment, and space must be documented. Volunteer services must be documented, and to the extent feasible, supported by the same methods used by the subrecipient for its own paid employees. The state has primary responsibility for subrecipient compliance with the requirements. State grantees are encouraged not to require excessive amounts of match.

b. Exceptions to the 20% Match. OVC sets a lower match requirements for:

1) Native American Tribes/Organizations Located on Reservations. The match for new or existing VOCA subrecipients that are Native American tribes/organizations located on reservations is 5% (cash or in-kind) of the total VOCA project. For the purpose of this grant, a Native American tribe/organization is defined as any tribe, band, nation, or other organized group or community, which is recognized as eligible for the special programs and services provided by the US to Native Americans because of their status as Native Americans. A reservation is defined as a tract of land set aside for use of, and occupancy by, Native Americans.

2) The US Virgin Islands, and all other territories and possessions of the US, except Puerto Rico, are not required to match VOCA funds. See 48 U.S.C. 1469a(d).

3) OVC may waive the match requirement if extraordinary need is documented by State VOCA administrators.

5. Volunteers. Subrecipient organizations must use volunteers unless the state grantee determines there is a compelling reason to waive this requirement. A "compelling reason" may be a statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars using volunteers for certain positions, or the inability to recruit and maintain volunteers after a sustained and aggressive effort.

6. Promote Community Efforts to Aid Crime Victims. Promote, within the community, coordinated public and private efforts to aid crime victims. Coordination may include, but is not limited to, serving on state, federal, local, or Native American task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts also include developing written agreements that contribute to better and more comprehensive services to crime victims. Coordination efforts qualify an organization to receive VOCA victim assistance funds, but are not activities that can

be supported with VOCA funds.

7. Help Victims Apply for Compensation Benefits. Such assistance may include identifying and notifying crime victims of the availability of compensation, assisting them with application forms and procedures, obtaining necessary documentation, and/or checking on claim status.

8. Comply with Federal Rules Regulating Grants. Subrecipients must comply with the applicable provisions of VOCA, the Program Guidelines, and the requirements of the OJP Financial Guide, effective edition, which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of VOCA funds received. This includes: financial documentation for disbursements; daily time and attendance records specifying time devoted to allowable VOCA victim services; client files; the portion of the project supplied by other sources of revenue; job descriptions; contracts for services; and other records which facilitate an effective audit.

9. Maintain Civil Rights Information. Maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability, within the timetable established by the state grantee; and permit reasonable access to its books, documents, papers, and records to determine whether the subrecipient is complying with applicable civil rights laws. This requirement is waived when providing a service, such as telephone counseling, where soliciting the information may be inappropriate or offensive to the crime victim.

10. Comply with State Criteria. Subrecipients must abide by any additional eligibility or service criteria as established by the state grantee including submitting statistical and programmatic information on the use and impact of VOCA funds, as requested by the grantee.

11. Services to Victims of Federal Crimes. Subrecipients must provide services to victims of federal crimes on the same basis as victims of state/local crimes.

12. No Charge to Victims for VOCA-Funded Services. Subrecipients must provide services to crime victims, at no charge, through the VOCA-funded project. Any deviation from this provision requires prior approval by the state grantee. Prior to authorizing subrecipients to generate income, OVC strongly encourages administrators to carefully weigh the following considerations regarding federal funds generating income for subrecipient organizations.

a. The purpose of the VOCA victim assistance grant program is to provide services to all crime victims regardless of their ability to pay for services rendered or availability of insurance or other third-party payment resources. Crime victims suffer tremendous emotional, physical, and financial losses. It was never the intent of VOCA to exacerbate the impact of the crime by asking the victim to pay for services.

b. State grantees must ensure that they and their subrecipients have the capability to track program income in accordance with federal financial accounting requirements. All VOCA-funded program and match income, no matter how large or small, the VOCA grant.

Program income can be problematic because of the required tracking systems needed to monitor VOCA-funded income and ensure that it is used only to make additional services available to crime victims. For example: VOCA often funds only a portion of a counselor's time. Accounting for VOCA program income generated by this counselor is complicated, involving careful record keeping by the counselor, the subrecipient program, and the state.

13. Client-Counselor and Research Information Confidentiality. Maintain confidentiality of client-counselor information, as required by state and federal law.

14. Confidentiality of Research Information. Except as otherwise provided by federal law, no recipient of monies under VOCA shall use or reveal any research or statistical information furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with VOCA. Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding. See Section 1407(d) of VOCA codified at 42 U.S.C. 10604.

These provisions are intended, among other things, to ensure the confidentiality of information provided by crime victims to counselors working for victim services programs receiving VOCA funds. Whatever the scope of application given this provision, it is clear that there is nothing in VOCA or its legislative history to indicate that Congress intended to override or repeal, in effect, a state's existing law governing the disclosure of information which is supportive of VOCA's fundamental goal of helping crime victims. For example, this provision would not act to override or repeal, in effect, a state's existing law pertaining to the mandatory reporting of suspected child abuse. See Pennhurst School and Hospital v. Halderman, et al., 451 US 1 (1981). Furthermore, this confidentiality provision should not be interpreted to thwart the legitimate informational needs of public agencies. For example, this provision does not prohibit a domestic violence shelter from acknowledging, in response to an inquiry by a law enforcement agency conducting a missing person investigation, that the person is safe in the shelter. Similarly, this provision does not prohibit access to a victim service project by a federal or state agency seeking to determine whether federal and state funds are being utilized in accordance with funding agreements.

C. Eligible Subrecipient Organizations

VOCA specifies that an organization must provide services to crime victims and be operated by a public agency or nonprofit organization, or a combination of such agencies or organizations in order to be eligible to receive VOCA funding. Eligible organizations include victim services organizations whose sole mission is to provide services to crime victims. These organizations include, but are not limited to, sexual assault and rape treatment centers, domestic violence programs and shelters, child abuse programs, centers for missing children, mental health services, and other community-based victim coalitions and support organizations including those who serve survivors of homicide victims.

In addition to victim services organizations, whose sole purpose is to serve crime victims, there are many other public and nonprofit organizations that have components which offer services to crime victims. These organizations are eligible to receive VOCA funds, if the funds are used to expand or

enhance the delivery of crime victims' services. These organizations include, but are not limited to, the following:

1. **Criminal Justice Agencies.** Such agencies as law enforcement organizations, prosecutors' offices, courts, corrections departments, and probation and paroling authorities are eligible to receive VOCA funds to help pay for victims' services. For example, prosecutor-based victim services may include victim-witness programs, victim notification, and victim impact statements, including statements of pecuniary damages for restitution. Corrections-based victim services may include victim notification, restitution advocacy, victim-offender mediation programs, and victim impact panels. Police-based victim services may include victim crisis units or victim advocates, victim registration and notification, and cellular phone and alarm services for domestic abuse victims. In general, VOCA funds may be used to provide crime victim services that exceed a law enforcement official's normal duties. Regular law enforcement duties such as crime scene intervention, questioning of victims and witnesses, investigation of the crime, and follow-up activities may not be paid for with VOCA funds.
2. **Religiously-Affiliated Organizations.** Such organizations receiving VOCA funds must ensure that services are offered to all crime victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event.
3. **State Crime Victim Compensation Agencies.** Compensation programs, including both centralized and decentralized programs, may receive VOCA assistance funds if they offer direct services to crime victims that extend beyond the essential duties of compensation staff such as claims investigations, distribution of information about compensation and referral to other sources of public and private assistance. Such services would include assisting victims in identifying and accessing needed services and resources.
4. **Hospitals and Emergency Medical Facilities.** Such organizations must offer crisis counseling, support groups, and/or other types of victim services. In addition, state grantees may only award VOCA funds to a medical facility for the purpose of performing forensic examinations on sexual assault victims if (1) the examination meets the standards established by the state, local prosecutor's office, or statewide sexual assault coalition; and (2) appropriate crisis counseling and/or other types of victim services are offered to the victim in conjunction with the examination.
5. **Others:** State and local public agencies such as mental health service organizations, state/local public child and adult protective services, state grantees, legal services agencies and programs with a demonstrated history of advocacy on behalf of domestic violence victims, and public housing authorities that have components specifically trained to serve crime victims. Since the intention of the VOCA grant program is to support and enhance the crime victim services provided by community agencies, state grantees that meet the definition of an eligible subrecipient organization may not subaward themselves more than 10 percent of their annual VOCA award. This limitation applies to all states and territories, except for the Northern Mariana Islands, Guam, American Samoa, and the Republic of Palau.

D. Ineligible Recipients of VOCA Funds

Some public and nonprofit organizations that offer services to crime victims are not eligible to receive VOCA victim assistance funding. These organizations include, but are not limited to, the following:

1. Federal Agencies. This includes US Attorneys Offices and FBI Field Offices. Receipt of VOCA funds would constitute an augmentation of the federal budget with money intended for state agencies. However, private nonprofit organizations that operate on federal land may be eligible subrecipients of VOCA victim assistance grant funds.

2. In-Patient Treatment Facilities. For example, those designed to provide treatment to individuals with drug, alcohol, and/or mental health-related conditions.

E. Services, Activities, and Costs at the Subrecipient Level

1. Allowable Costs for Direct Services. The following is a listing of services, activities, and costs that are eligible for support with VOCA victim assistance grant funds within a subrecipient's organization:

a. Immediate Health and Safety. Those services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food, clothing, transportation, and shelter (including emergency, short-term nursing home shelter for elder abuse victims for whom no other safe, short-term residence is available); and other emergency services that are intended to restore the victim's sense of security. This includes services which offer an immediate measure of safety to crime victims such as boarding-up broken windows and replacing or repairing locks. Also allowable is emergency legal assistance such as filing restraining orders and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim.

b. Mental Health Assistance. Those services and activities that assist the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after a victimization such as counseling, group treatment, and therapy. "Therapy" refers to intensive professional psychological/psychiatric treatment for individuals, couples, and family members related to counseling to provide emotional support in crises arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.

c. Assistance with Participation in Criminal Justice Proceedings. In addition to the cost of emergency legal services noted above in section a. "Immediate Health and Safety", there are other costs associated with helping victims participate in the criminal justice system that also are allowable. These services may include advocacy on behalf of crime victims; accompaniment to criminal justice offices and court; transportation to court; child care or respite care to enable a victim to attend court; notification of victims regarding trial dates, case disposition information, and parole consideration procedures; and assistance with victim impact statements. State grantees may also fund projects devoted to restitution advocacy on behalf of specific crime victims. VOCA funds cannot be used to pay for non-emergency legal representation such as for divorces, or civil restitution recovery efforts.

d. Forensic Examinations. For sexual assault victims, forensic exams are allowable costs only to the extent that other funding sources (such as state compensation or private insurance or public benefits) are unavailable or insufficient and, such exams conform with state evidentiary collection requirements. State grantees should establish procedures to monitor the use of VOCA victim assistance funds to pay for forensic examinations in sexual assault cases.

e. Costs Necessary and Essential to Providing Direct Services. This includes pro-rated costs of rent, telephone service, transportation costs for victims to receive services, emergency transportation costs that enable a victim to participate in the criminal justice system, and local travel expenses for service providers.

f. Special Services. Services to assist crime victims with managing practical problems created by the victimization such as acting on behalf of the victim with other service providers, creditors, or employers; assisting the victim to recover property that is retained as evidence; assisting in filing for compensation benefits; and helping to apply for public assistance.

g. Personnel Costs. Costs that are directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance; the cost of advertising to recruit VOCA-funded personnel; and the cost of training paid and volunteer staff.

h. Restorative Justice. Opportunities for crime victims to meet with perpetrators, if such meetings are requested or voluntarily agreed to by the victim and have possible beneficial or therapeutic value to crime victims.

State grantees that plan to fund this type of service should closely review the criteria for conducting these meetings. At a minimum, the following should be considered: (1) the safety and security of the victim; (2) the benefit or therapeutic value to the victim; (3) the procedures for ensuring that participation of the victim and offender are voluntary and that everyone understands the nature of the meeting, (4) the provision of appropriate support and accompaniment for the victim, (5) appropriate "debriefing" opportunities for the victim after the meeting or panel, (6) the credentials of the facilitators, and (7) the opportunity for a crime victim to withdraw from the process at any time. State grantees are encouraged to discuss proposals with OVC prior to awarding VOCA funds for this type of activity. VOCA assistance funds cannot be used for victim-offender meetings which serve to replace criminal justice proceedings.

2. Other Allowable Costs and Services. The services, activities, and costs listed below are not generally considered direct crime victim services, but are often a necessary and essential activity to ensure that quality direct services are provided. Before these costs can be supported with VOCA funds, the state grantee and subrecipient must agree that direct services to crime victims cannot be offered without support for these expenses; that the subrecipient has no other source of support for them; and that only limited amounts of VOCA funds will be used for these purposes. The following list provides examples of such items:

a. Skills Training for Staff. VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers including paid staff and volunteers, so that they are better able to offer quality services to crime victims. An example of skills development is training focused on how to respond to a victim in crisis.

VOCA funds can be used for training both VOCA-funded and non-VOCA-funded service providers who work within a VOCA recipient organization, but VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services.

b. Training Materials. VOCA funds can be used to purchase materials such as books, training manuals, and videos for direct service providers, within the VOCA-funded organization, and can support the costs of a trainer for in-service staff development. Staff from other organizations can attend in-service training activities that are held for the subrecipient's staff.

c. Training Related Travel. VOCA funds can support costs such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographic area. This limitation encourages state grantees and subrecipients to first look for available training within their immediate geographical area, as travel costs will be minimal. However, when needed training is unavailable within the immediate geographical area, state grantees may authorize using VOCA funds to support training outside of the geographical area. For example, VOCA grantees may benefit by attending national conferences that offer skills building training workshops for victim assistance providers.

d. Equipment and Furniture. VOCA funds may be used to purchase furniture and equipment that provides or enhances direct services to crime victims, as demonstrated by the VOCA subrecipient.

VOCA funds cannot support the entire cost of an item that is not used exclusively for victim-related activities. However, VOCA funds can support a prorated share of such an item. In addition, subrecipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service. Examples of allowable costs may include beepers; typewriters and word processors; video-tape cameras and players for interviewing children; two-way mirrors; and equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas.

The costs of furniture, equipment such as Braille equipment or TTY/TTD machines for the deaf, or minor building alterations/improvements that make victims services more accessible to persons with disabilities are allowable. Refer to the OJP Financial Guide, effective edition, before these types of decisions are made.

e. Purchasing or Leasing Vehicles. Subrecipients may use VOCA funds to purchase or lease vehicles if they can demonstrate to the state VOCA administrator that such an expenditure is essential to delivering services to crime victims. The VOCA administrator must give prior approval for all such purchases.

f. Advanced Technologies. At times, computers may increase a subrecipient's ability to reach and serve crime victims. For example, automated victim notification systems have dramatically improved

the efficiency of victim notification and enhanced victim security.

In order to receive a grant for advanced technologies, each subrecipient must meet the program eligibility requirements set forth in section IV.B. Of the Guidelines, Subrecipient Organization Eligibility Requirements. In making such expenditures, VOCA subrecipients must describe to the state how the computer equipment will enhance services to crime victims; how it will be integrated into and/or enhance the subrecipient's current system; the cost of installation; the cost of training staff to use the computer equipment; the ongoing operational costs, such as maintenance agreements, supplies; and how these additional costs will be supported. Property insurance is an allowable expense as long as VOCA funds support a prorated share of the cost of the insurance payments.

State grantees that authorize equipment to be purchased with VOCA funds must establish policies and procedures on the acquisition and disbursement of the equipment, in the event the subrecipient no longer receives a VOCA grant. At a minimum, property records must be maintained with the following: a description of the property and a serial number or other identifying number; identification of title holder; the acquisition date; the cost and the percentage of VOCA funds supporting the purchase; the location, use, and condition of the property; and any disposition data, including the date of disposal and sale price. (See OJP Financial Guide, effective edition.)

g. Contracts for Professional Services. VOCA funds generally should not be used to support contract services. At times, however, it may be necessary for VOCA subrecipients to use a portion of the VOCA grant to contract for specialized services. Examples of these services include assistance in filing restraining orders or establishing emergency custody/visitation rights (the provider must have a demonstrated history of advocacy on behalf of domestic violence victims); forensic examinations on a sexual assault victim to the extent that other funding sources are unavailable or insufficient; emergency psychological or psychiatric services; or sign and/or interpretation for the deaf or for crime victims whose primary language is not English.

Subrecipients are prohibited from using a majority of VOCA funds for contracted services, which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.

h. Operating Costs. Examples of allowable operating costs include supplies; equipment use fees, when supported by usage logs; printing, photocopying, and postage; brochures which describe available services; and books and other victim-related materials. VOCA funds may support administrative time to complete VOCA-required time and attendance sheets and programmatic documentation, reports, and statistics; administrative time to maintain crime victims' records; and the prorated share of audit costs.

i. Supervision of Direct Service Providers. State grantees may provide VOCA funds for supervision of direct service providers when they determine that such supervision is necessary and essential to providing direct services to crime victims. For example, a state grantee may determine that using VOCA funds to support a coordinator of volunteers or interns is a cost-effective way of serving more crime victims.

j. Repair and/or Replacement of Essential Items. VOCA funds may be used for repair or replacement of items that contribute to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. In the event that a vehicle is purchased with VOCA funds, related items, such as routine maintenance and repair costs, and automobile insurance are allowable. State grantees are cautioned to scrutinize each request for expending VOCA funds for such purposes to ensure the following: (1) that the building or vehicle is owned by the subrecipient organization and not rented or leased, (2) all other sources of funding have been exhausted, (3) there is no available option for providing the service in another location, (4) that the cost of the repair or replacement is reasonable considering the value of the building or vehicle, and (5) the cost of the repair or replacement is prorated among all sources of income.

k. Public Presentations. VOCA funds may be used to support presentations that are made in schools, community centers, or other public forums, and that are designed to identify crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by VOCA funds.

3. Non-Allowable Costs and Activities. The following services, activities, and costs, although not exhaustive, cannot be supported with VOCA victim assistance grant funds at the subgrantee level:

a. Lobbying and Administrative Advocacy. VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.

b. Perpetrator Rehabilitation and Counseling. Subrecipients cannot knowingly use VOCA funds to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.

c. Needs Assessments, Surveys, Evaluations, Studies. VOCA program funds may not be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.

d. Prosecution Activities. VOCA funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification and management activities and expert testimony at a trial. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.

e. Fundraising activities.

f. Indirect Organizational Costs. The costs of liability insurance on buildings; capital improvements; security guards and body guards; property losses and expenses; real estate purchases; mortgage payments; and construction may not be supported with VOCA funds.

- g. **Property Loss.** Reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.
- h. **Most Medical Costs.** VOCA funds cannot pay for nursing home care (emergency short-term nursing home shelter as described in section IV.E.1.a. is allowable), home health-care costs, in-patient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. VOCA victim assistance grant funds cannot support medical costs resulting from a victimization, except for forensic medical examinations for sexual assault victims.
- i. **Relocation Expenses.** VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.
- j. **Administrative Staff Expenses.** Salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals unless these expenses are incurred while providing direct services to crime victims.
- k. **Development of Protocols, Interagency Agreements, and Other Working Agreements.** These activities benefit crime victims, but they are considered examples of the types of activities that subrecipients undertake as part of their role as a victim services organization, which in turn qualifies them as an eligible VOCA subrecipient.
- l. **Costs of Sending Individual Crime Victims to Conferences.**
- m. **Activities Exclusively Related to Crime Prevention.**

V. PROGRAM REPORTING REQUIREMENTS

State grantees must adhere to all reporting requirements and timelines for submitting the required reports, as indicated below. Failure to do so may result in a hold being placed on the drawdown of the current year's funds, a hold being placed on processing the next year's grant award, or can result in the suspension or termination of a grant.

A. Subgrant Award Reports

A Subgrant Award Report is required for each organization that receives VOCA funds and uses the funds for such allowable expenses including employee salaries, fringe benefits, supplies, and rent. This requirement applies to all state grantee awards including grants, contracts, or subgrants and to all

subrecipient organizations.

Subgrant Award Reports are not to be completed for organizations that serve only as conduits for distributing VOCA funds or for organizations that provide limited, emergency services, on an hourly rate, to the VOCA subrecipient organizations. Services and activities that are purchased by a VOCA subrecipient are to be included on the subrecipient's Subgrant Award Report.

1. Reporting Deadline. State grantees are required to submit to OVC, within 90 days of making the subaward, Subgrant Award Report information for each subrecipient of VOCA victim assistance grant funds.

2. Electronic Submission. State grantees shall transmit their Subgrant Award Report information to OVC via the automated subgrant dial-in system. By utilizing the subgrant dial-in number (1-800/838-0106), grantees can access the system without incurring a long distance telephone charge. States and territories outside of the continental US are exempt from the requirement to use the subdial system, but these grantees must complete and submit the Subgrant Award Report form, OJP 7390/2A, for each VOCA subrecipient.

3. Changes to Subgrant Award Report. If the Subgrant Award Report information changes by the end of the grant period, state grantees must inform OVC of the changes, by revising the information via the automated subgrant subdial system. The total of all Subgrant Award Reports submitted by the state grantee must agree with the Final Financial Status Report (Standard Form 269A) that is submitted at the end of the grant period.

B. Performance Report

1. Reporting Deadline. Each state grantee is required to submit specific grant performance data on the OVC-provided Performance Report, form No. OJP 7390/4, by December 31 of each year.

2. Administrative Cost Provision. For those state grantees who opt to use a portion of the VOCA victim assistance grant for administrative costs, the Performance Report will be used to describe how the funds were actually used and the impact of the 5% administrative funds on the state grantee's ability to expand, enhance, and improve services to crime victims. State grantees who choose to use a portion of their VOCA victim assistance grant for administrative costs must maintain a clear audit trail of all costs supported by administrative funds and be able to document the value of the grantee's previous commitment to administering VOCA.

VI. FINANCIAL REQUIREMENTS

As a condition of receiving a grant, state grantees and subrecipients shall adhere to the financial and administrative provisions set forth in the OJP Financial Guide and applicable OMB Circulars and

Common Rules. The following section describes the audit requirements for state grantees and subrecipients, the completion and submission of Financial Status Reports, and actions that result in termination of advance funding.

A. Audit Responsibilities for Grantees and Subrecipients

Audits of non-profit institutions and institutions of higher education must comply with the organizational audit requirements of OMB Circular A-133, which states that recipients who expend \$300,000 or more during their fiscal year in federal funds during their fiscal year, are required to submit an organization-wide financial and compliance audit report within 13 months after the close of each fiscal year during the term of the award to their cognizant federal agency.

State and local units of government must comply with the organizational audit requirements of OMB circular A-128, which states that recipients of \$25,000 of federal funds during their fiscal year, are required to submit an audit report to their cognizant agency. Recipients who receive less than \$25,000 in federal funds are exempt from the audit requirement.

B. Audit Costs

Audit costs incurred at the grantee (state) level are determined to be an administrative expense, and may be paid with the allowable five percent for administration. Subrecipients may use any VOCA funds support the prorated share audit costs.

C. Financial Status Report for State Grantees

Financial Status Reports (269A) are required from all state agencies. A Financial Status Report shall be submitted to the Office of the Comptroller for each calendar quarter in which the grant is active. This Report is due even though no obligations or expenditures were incurred during the reporting period. Financial Status Reports shall be submitted to the Office of the Comptroller, by the state, within 45 days after the end of each calendar quarter. Calendar quarters end March 31, June 30, September 30, and December 31. A Final Financial Status Report is due 120 days after the end of the VOCA grant.

D. Termination of Advance Funding to State Grantees

If the state grantee receiving cash advances by direct Treasury deposit demonstrates an unwillingness or inability to establish procedures that will minimize the time elapsing between cash advances and disbursements, OJP may terminate advance funding and require the state to finance its operations with its own working capital. Payments to the state will then be made to the state by the ACH Vendor Express method to reimburse the grantee for actual cash disbursements. It is essential that the grantee organization maintain a minimum of cash on hand and that drawdowns of cash are made only when

necessary for disbursements.

VII. MONITORING

A. Office of the Comptroller

The Office of the Comptroller conducts periodic reviews of the financial policies, procedures, and records of VOCA grantees and subrecipients. Therefore, upon request, state grantees and subrecipients must allow authorized representatives to access and examine all records, books, papers, case files, or documents related to the grant, use of administrative funds, and all subawards.

B. Office for Victims of Crime

OVC conducts on-site monitoring in which each state grantee is visited a minimum of once every three years. While on site, OVC personnel will review various documents and files such as (1) program manuals and procedures governing the VOCA grant program; (2) reports for the grantee and all VOCA subrecipients; (3) the state grantee's VOCA application kit, procedures, and guidelines for subawarding VOCA funds; and (4) all other state grantee and subrecipient records and files.

In addition, OVC will visit selected subrecipients and will review similar documents such as (1) reports; (2) policies and procedures governing the organization and the VOCA funds; (3) programmatic records of victims' services; and (4) timekeeping records and other supporting documentation for costs supported by VOCA funds.

VIII. SUSPENSION AND TERMINATION OF FUNDING

If, after notice and opportunity for a hearing, OVC finds that a state has failed to comply substantially with VOCA, the OJP Financial Guide (effective edition), the Final Program Guidelines, or any implementing regulation or requirement, OVC may suspend or terminate funding to the state and/or take other appropriate action. At such time, states may request a hearing on the justification for the suspension and/or termination of VOCA funds. VOCA subrecipients, within the state, may not request a hearing at the federal level. However, VOCA subrecipients who believe that the state grantee has violated a program and/or financial requirement are not precluded from bringing the alleged violation(s) to the attention of OVC.

See also:

- [VOCA Guidelines from the Federal Register](#) (PDF 70 kb)

[Return to Grants & Funding](#)

APPENDIX E

OVC FEDERAL REPORTING FORMS

Office for Victims of Crime
Victim Assistance Formula Grants Program
SUBGRANT AWARD REPORT

The **Subgrant Award Report (SAR)** is a requirement for state agency recipients (i.e., grantees) that receive Victims of Crime Act (VOCA) funding from the Office for Victims of Crime (OVC) to deliver victim assistance services. Grantees use the SAR to collect basic information on subgrantee recipients and the program activities that will be implemented with VOCA plus match funds. Submit this data in the OVC PMT.

1. Grantees have 90 days to submit the SAR after the subaward's start date.
2. Grantees must complete a SAR for each subgrant award of VOCA funding.
3. Grantees should submit information via the OVC PMT starting October 5, 2015.
4. The report requires two levels of data:
 - A. Profile of the subgrantee recipient receiving VOCA funds.
 - B. Information on the activities that the VOCA-funded subgrantee program will implement.
5. Changes or revisions to the award that occur before the end of the project period must be made in the SAR within 30 days of the change taking effect.
6. A SAR created with start dates that fall within the annual reporting period (federal fiscal year) will be associated with performance data submitted for that federal fiscal year.

Office for Victims of Crime
Victim Assistance Formula Grants Program
SUBGRANT AWARD REPORT

1. Subgrantee Organization/Tribal Name

(This is the agency providing the direct services to victims of crime, not a pass-through or conduit agency.)

A. Organization Name

Name

B. Organization/Tribal Address

Address

C. City

City

D. State

State

E. Zip Code

Zip Code

2. Subgrantee Organization/Tribal Point of Contact

A. POC Name

POC First Name, Last Name

B. POC E-mail Address

POC E-mail

C. POC Phone Number

POC Phone Number (XXX-XXX-XXXX)

3. Subgrantee Organization Type

INSTRUCTIONS: Check the box that best describes the type of government, agency, or organization (A, B, C, and D) identified in question 1.

A. Government Agencies Only: Which designation best describes this government agency? (select one response)

- ☐ Corrections
- ☐ Courts
- ☐ Juvenile justice
- ☐ Law enforcement
- ☐ Prosecutor
- ☐ Other government agency

Description

B. Nonprofit Organization Only: Which designation best describes this nonprofit organization? (select one response)

- ☐ Child abuse service organization (e.g., child advocacy center)
- ☐ Coalition (e.g., state domestic violence or sexual assault coalition)
- ☐ Domestic and family violence organization
- ☐ Faith-based organization
- ☐ Organization provides domestic and family violence and sexual assault services
- ☐ Organization by and/or for underserved victims of crime (e.g., drunk driving, homicide, elder abuse)
- ☐ Sexual assault services organization (e.g., rape crisis center)

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- ☐ Multiservice agency
☐ Other type of nonprofit organization serving victims of crime

Description

C. Federally Recognized Tribal Governments, Agencies, and Organizations Only:

Which designation best describes this tribal agency or organization? (**select one response**)

- ☐ Child abuse service organization (e.g., child advocacy center)
☐ Court
☐ Domestic and family violence organization
☐ Faith-based organization
☐ Juvenile justice
☐ Law enforcement
☐ Organization provides domestic and family violence and sexual assault services
☐ Prosecutor
☐ Sexual assault services organization (e.g., rape crisis center)
☐ Other justice-based agency
☐ Other agency that is NOT justice-based (e.g., human services, health, education)
☐ Organization by and/or for a specific traditionally underserved community
☐ Organization by and/or for underserved victims of crime (e.g., drunk driving, homicide, elder abuse)
☐ Other:

Description

D. Campus Organizations Only: Which designation best describes this campus organization? (**select one response**)

- ☐ Campus-based victims services
☐ Law enforcement
☐ Physical or mental health service program
☐ Other:

Description

4. OVC Crime Victim Assistance Funds Awarded

A. State-assigned Subaward Number

Number (Required)

B. Subaward Amount (Enter Federal Funds ONLY, NO MATCH)

\$ Amount

Federal Award Number

INSTRUCTIONS: Select the federal grant from which this subaward is funded and enter the amount(s) related to that grant. When more than one OVC VOCA federal grant is used to fund the subaward, for the same start and end date, select each federal grant and enter the associated amount.

Secondly, enter the portion of the subaward amount that is intended for use for each priority or underserved category. If this amount is zero (0), please enter 0. The total for each category will auto-populate the applicable category in the section for **Priority and Underserved Requirements**.

Award Number	\$\$\$ from this award	A. Child abuse	B. Domestic and Family Violence	C. Sexual Assault	D. Underserved
Award Number	\$\$\$ from this award	Child abuse	Domestic and Family Violence	Sexual Assault	Underserved
Award Number	\$\$\$ from this award	Child abuse	Domestic and Family Violence	Sexual Assault	Underserved

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- A. Project start date (The date the VOCA-funded project begins)

(mm/dd/yyyy)

- B. Project end date (The date the VOCA-funded project ends)

(mm/dd/yyyy)

5. Purpose of the VOCA Subaward (Check all that apply)

- A. Continue a VOCA-funded victim project funded in a previous year
- B. Expand or enhance an existing project not funded by VOCA in the previous year
- C. Start up a new victim services project
- D. Start up a new **Native American** victim services project
- E. Expand or enhance an existing **Native American** project

6. Priority and Underserved Requirements

INSTRUCTIONS: This is determined by the state for each SAR. Indicate the amount of VOCA funds ONLY that are allocated to each category of priority and underserved victims of crime. The amount provided below should not include match funds. Match funds are reported in a different section of the SAR form.

For allocation of funds, reporting, and compliance purposes, States must identify services that assist “previously underserved populations of victims of violent crime,” per VOCA Victim Assistance Program Final Rule, Section 94.104(c). States may still fund services for victims of non-violent crimes and can report them separately below. However, services funded for victims of non-violent crimes cannot count towards meeting the required allocation for the underserved victim category.

See Appendix for child sexual victimization definitions. Child sexual abuse or assault should be reported EITHER in category **6A, CHILD ABUSE**, or in category **6C, SEXUAL ASSAULT**, depending on how the state or territory tracks and reports this data. **SELECT ONLY one.**

- A. Child abuse (may include services for child physical and sexual abuse)

\$ Amount

- A1. Child physical abuse/neglect (See definition in Appendix)

\$ Amount (optional)

- A2. Child sexual abuse (See definition in Appendix)

\$ Amount (optional)

- B. Domestic and family violence (formerly known as spousal abuse)

\$ Amount

- C. Sexual assault (may include services for child and adult sexual assault)

\$ Amount

- C1. Child sexual assault (See definition in Appendix)

\$ Amount (optional)

- C2. Adult sexual assault (See definition in Appendix)

\$ Amount (optional)

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- D. Underserved (*includes DUI/DWI crashes, survivors of homicide victims, assault, adults molested as children, elder abuse, robbery, and other violent crimes*)

\$ Amount

- D1. Underserved (*DUI/DWI crashes*)

\$ Amount

- D2. Underserved (*assault*)

\$ Amount

- D3. Underserved (*adults molested as children*)

\$ Amount

- D4. Underserved (*elder abuse*)

\$ Amount

- D5. Underserved (*robbery*)

\$ Amount

- D6. Underserved (*survivors of homicide victims*)

\$ Amount

- D7. Other Underserved (*other **violent** crimes*)

\$ Amount

- D8. Please briefly describe Other Underserved (*other **violent** crimes*)

Explanation

- D9. Other Underserved (***non-violent** crimes*)

\$ Amount (optional)

- D10. Please briefly describe Other Underserved (***non-violent** crimes*)

Explanation (optional)

- D11. Please briefly explain how your state or territory defines “underserved” if other than what is listed above.

This is determined by the state for all SARs. It will auto-populate all active SARs during the same federal fiscal year.

Explanation (optional)

7. Subgrantee Agency Service Area(s)

INSTRUCTIONS: Select the counties that cover the service area affected by the VOCA-funded program or project.

Select counties (by state)

Other counties served outside of the state.

Description (optional)

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8. Subaward Match (financial support from other sources)

INSTRUCTIONS: All VOCA awards must be matched (20 %) either with in-kind or cash match, except for VOCA subgrants made in the Virgin Islands, Puerto Rico, American Samoa, Guam, Northern Marianas and Palau, and tribal organizations. This is computed by dividing the amount of the award from item 4B by .80 and subtracting the amount of the award from the figure obtained. For example, a \$30,000 award divided by .80 equals \$37,500, less \$30,000 award equals \$7,500 match.

Tribal Organization match may be 0%.

A. Value of in-kind match

\$ Amount

B. Cash match

\$ Amount

C. Total match

\$ Amount (auto-calculated)

D. Match waiver ☐

INSTRUCTIONS: Check box to indicate a match waiver was received.

9. USE of VOCA and MATCH FUNDS:

INSTRUCTIONS: For this subaward, check the category of service and subcategory that best identifies the types of services or activities that will be provided by the VOCA-funded project, as described below. Note: Report only those program activities that will be implemented with VOCA funds. Do not report services offered by another agency. Check all that apply.

A. INFORMATION & REFERRAL

- ☐ Information about the criminal justice process
- ☐ Information about victim rights, how to obtain notifications, etc.
- ☐ Referral to other victim service programs
- ☐ Referral to other services, supports, and resources (includes legal, medical, faith-based organizations, address-confidentiality programs, etc.)

B. PERSONAL ADVOCACY/ACCOMPANIMENT

- ☐ Victim advocacy/accompaniment to emergency medical care
- ☐ Victim advocacy/accompaniment to medical forensic exam
- ☐ Law enforcement interview advocacy/accompaniment
- ☐ Individual advocacy (e.g., assistance in applying for public benefits, return of personal property or effects)
- ☐ Performance of medical or nonmedical forensic exam or interview, or medical evidence collection
- ☐ Immigration assistance (e.g., special visas, continued presence application, and other immigration relief)
- ☐ Intervention with employer, creditor, landlord, or academic institution
- ☐ Child and/or dependent care assistance (includes coordination of services)
- ☐ Transportation assistance (includes coordination of services)
- ☐ Interpreter services

C. EMOTIONAL SUPPORT OR SAFETY SERVICES

- ☐ Crisis intervention (in-person, includes safety planning, etc.)
- ☐ Hotline/crisis line counseling
- ☐ On-scene crisis response (e.g., community crisis response)
- ☐ Individual counseling
- ☐ Support groups (facilitated or peer)
- ☐ Other therapy (traditional, cultural, or alternative healing; art, writing, or play therapy; etc.)

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- ☐ Emergency financial assistance (includes emergency loans and petty cash, payment for items such as food and/or clothing, changing windows and/or locks, taxis, prophylactic and nonprophylactic meds, durable medical equipment, etc.)

D. SHELTER/HOUSING SERVICES

- ☐ Emergency shelter or safe house
- ☐ Transitional housing
- ☐ Relocation assistance (includes assistance with obtaining housing)

E. CRIMINAL/CIVIL JUSTICE SYSTEM ASSISTANCE

- ☐ Notification of criminal justice events (case status, arrest, court proceedings, case disposition, release, etc.)
- ☐ Victim impact statement assistance
- ☐ Assistance with restitution (includes assistance in requesting and when collection efforts are not successful)
- ☐ Civil legal assistance in obtaining protection or restraining order
- ☐ Civil legal assistance with family law issues (e.g., custody, visitation, or support)
- ☐ Other emergency justice-related assistance
- ☐ Immigration assistance (e.g., special visas, continued presence application, and other immigration relief)
- ☐ Prosecution interview advocacy/accompaniment (includes accompaniment with prosecuting attorney and with victim/witness)
- ☐ Law enforcement interview advocacy/accompaniment
- ☐ Criminal advocacy/accompaniment
- ☐ Other legal advice and/or counsel

F. ASSISTANCE IN FILING COMPENSATION CLAIMS

- ☐ Assists potential recipients in seeking crime victim compensation benefits

10. Types of Victimizations

Check the types of victimization that best describe the victims the VOCA-funded project will serve. "Other" refers to a type that is not associated with any of the types provided in this list. Please review the Appendix for definitions. Provide an explanation for any victimization type listed as "other."

Victimization Type	Check the type of victims served by type of crime
Adult Physical Assault (includes Aggravated and Simple Assault)	<input type="checkbox"/>
Adult Sexual Assault	<input type="checkbox"/>
Adults Sexually Abused/Assaulted as Children	<input type="checkbox"/>
Arson	<input type="checkbox"/>
Bullying (Verbal, Cyber, or Physical)	<input type="checkbox"/>
Burglary	<input type="checkbox"/>
Child Physical Abuse or Neglect	<input type="checkbox"/>
Child Pornography	<input type="checkbox"/>
Child Sexual Abuse/Assault	<input type="checkbox"/>
Domestic and/or Family Violence	<input type="checkbox"/>
DUI/DWI Incidents	<input type="checkbox"/>
Elder Abuse or Neglect	<input type="checkbox"/>
Hate Crime: Racial/Religious/Gender/ Sexual Orientation/Other (explanation required)	<input type="checkbox"/>
Human Trafficking: Labor	<input type="checkbox"/>
Human Trafficking: Sex	<input type="checkbox"/>
Identity Theft/Fraud/Financial Crime	<input type="checkbox"/>

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Kidnapping (noncustodial)	<input type="checkbox"/>
Kidnapping (custodial)	<input type="checkbox"/>
Mass Violence (Domestic/International)	<input type="checkbox"/>
Other Vehicular Victimization (e.g., Hit and Run)	<input type="checkbox"/>
Robbery	<input type="checkbox"/>
Stalking/Harassment	<input type="checkbox"/>
Survivors of Homicide Victims	<input type="checkbox"/>
Teen Dating Victimization	<input type="checkbox"/>
Terrorism (Domestic/International)	<input type="checkbox"/>
Other	<input type="checkbox"/>
If other, please explain:	

11. Budget and Staffing

INSTRUCTIONS: Indicate below the requested information based on the subgrantee's current fiscal year. Report the total budget available to the victim services program by source of funding. Do not report the entire agency budget, unless the entire budget is devoted to victim services programs. For example, if VOCA funds are awarded to support a victim advocate unit in a prosecutor's office, only report the budget for the victim advocate unit. NOTE: Do not include in-kind match; do not report sums of less than \$1.

Information Requested	Response	Explanation (as needed)
A. Total budget for all victimization programs/services for this subgrantee	\$ Amount	The amount reported is for the current fiscal year. Include the subaward amount reported in Question 4.
B. Annual funding amounts allocated to all victimization programs and/or services for the current fiscal year	C1. Subaward Amount: Auto-populated C2. OTHER STATE/TERRITORY: \$ Amount C3. OTHER LOCAL: \$ Amount C4. OTHER FEDERAL: \$ Amount C5. OTHER NON-FEDERAL:	Identify by source the amount of funds allocated to the victimization programs/services budget of the subgrantee agency. DO NOT COUNT FUNDS IN MORE THAN ONE CATEGORY OTHER FEDERAL includes all federal funding except the subaward amount reported in Question 4.
C. Total number of paid staff for all subgrantee victimization program and/or services	ENTER WHOLE Number	Count each staff member once. Both full and part time staff should be counted as one staff member. DO NOT prorate based on FTE.
D. Number of staff hours funded through this VOCA award (plus match) for subgrantee's victimization programs and/or services	Number of HOURS	Total COUNT of hours to work by all staff supporting the work of this VOCA subaward plus match.

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E. Number of volunteers supporting the work of this VOCA award (plus match) for subgrantee's victimization programs and/or services	ENTER WHOLE Number	<i>COUNT each volunteer once. DO NOT prorate based on FTE.</i>
F. Number of volunteer hours supporting the work of this VOCA award (plus match) for subgrantee's victimization programs	Number of HOURS	<i>Total count of hours to work by all volunteers supporting the work of this VOCA subaward plus match.</i>

Overall Comments (optional):

Additional information that may help further explain your reported data.

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APPENDIX

The descriptions below are based on Federal legislation (unless otherwise noted), which provides guidance to states by identifying a minimum set of acts or behaviors to define the crime. OVC understands that state statutes may vary. Please interpret your state code within the definitions provided to report requested data.

GENERAL DEFINITIONS:

a. Child

A person under the age of 18 or as otherwise defined by state law.

b. Federal Fiscal Year

October 1 through September 30.

c. Services (as defined by program guidelines)

- i. Respond to the emotional and physical needs of crime victims;
- ii. Assist primary and secondary victims of crime to stabilize their lives after a victimization;
- iii. Assist victims to understand and participate in the criminal justice system; and
- iv. Provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.
- v. Assistance to victims in applying for compensation. Assistance to potential recipients of crime victim compensation benefits (including potential recipients who are victims of federal crime) in applying for such benefits may include, but are not limited to, referring such potential recipients to an organization that can so assist, identifying crime victims and advising them of the availability of such benefits, assisting such potential recipients with application forms and procedures, obtaining necessary documentation, monitoring claim status, and intervening on behalf of such potential recipients with the crime victims' compensation program.

d. Crime Victim or Victim of Crime

A person who has suffered physical, sexual, financial, or emotional harm as the result of the commission of a crime.

e. Teen

OVC describes a teen (for purposes of this report) as a youth, ages 13–17. Use this definition to capture youth ages 13–17 who present for services for a primary and/or additional victimization where applicable: for example, teen dating victimization.

f. Victim Funded Project

VOCA funds plus match.

g. Victim Services Program

All services and activities offered on behalf of victims of crime, including the VOCA grant and match.

VICTIMIZATION TYPES:

a. Adults Sexually Abused/Assaulted as Children

Adult survivors of sexual abuse and/or assault suffered while they were children.

b. Adult Physical Assault

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Simple Assault: Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Intimidation, coercion, and hazing are included.

c. Adult Sexual Assault

Includes a wide range of victimizations; crimes that include attacks or attempted attacks generally involving unwanted sexual contact between victim and offender. Sexual assaults may or may not

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involve force and include such things as grabbing, fondling, and verbal threats. Also included is rape, which is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ by another person, without the consent of the victim; may also include penetration of the mouth by a sex organ by another person. An adult victim is a person age 18 or older, or as otherwise defined by state law.

d. Arson

Any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, and so on.

e. Bullying (cyber, physical, or verbal)

Repeated, negative acts committed by one or more children against another. These negative acts may be physical or verbal in nature—for example, hitting or kicking, teasing or taunting—or they may involve indirect actions such as manipulating friendships or purposely excluding other children from activities. Implicit in this definition is an imbalance in real or perceived power between the bully and victim. Examples of cyber bullying include mean text messages or e-mails, rumors sent by e-mail or posted on social networking sites, and embarrassing pictures, videos, Web sites, or fake profiles.

f. Burglary

The unlawful entry of a structure to commit a felony or theft. The FBI's Uniform Crime Reporting (UCR) program includes three subclassifications: forcible entry, unlawful entry where no force is used, and attempted forcible entry. The UCR definition of "structure" includes apartment, barn, house trailer or houseboat when used as a permanent dwelling, office, railroad car (but not automobile), stable, and vessel (i.e., ship).

g. Child Abuse

Under the VOCA rule, Section 94.102, victim of child abuse means a victim of crime, where such crime involved an act or omission considered to be child abuse under the law of the relevant SAA jurisdiction. In addition, for purposes of this program, victims of child abuse may include, but are not limited to, child victims of: physical, sexual, or emotional abuse; child pornography related offenses; neglect; commercial sexual exploitation; bullying; and/or exposure to violence.

For reporting purposes in the PMT, OVC has separated child sexual abuse and child sexual assault into their own categories, along with child pornography, and asks that funds dedicated to child sexual abuse or child sexual assault and to child pornography be reported separately from those dedicated to other forms of child abuse. For question 6, child sexual abuse or assault should be reported either in category 6a, child abuse, or in category 6c, sexual assault, depending on how the state or territory tracks and reports this data. Select only one. Definitions for these sub-categories are provided below.

- **Child Physical Abuse and Neglect**

This may include physical abuse that is nonaccidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.

- **Child Sexual Abuse or Assault**

This may include activities such as fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution by a parent, caregiver, or other person. Includes teen sexual assault.

- **Child Pornography**

Any visual depiction, including any photograph, film, video, picture, drawing, or computer or computer-generated image or picture, which is produced by electronic, mechanical, or other means, of sexually explicit conduct, where: (1) its production involved the use of a minor engaging in sexually explicit conduct; (2) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct; (3) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (4) it is advertised,

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distributed, promoted, or presented in such a manner as to convey the impression that it is a visual depiction of a minor engaging in sexually explicit conduct.

h. Domestic and/or Family Violence

A crime in which there is a past or present familial, household, or other intimate relationship between the victim and the offender, including spouses, ex-spouses, boyfriends and girlfriends, ex-boyfriends and ex-girlfriends, and any family members or persons residing in the same household as the victim. Involves a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

i. DUI/DWI Incidents

Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

j. Elder Abuse/Neglect

Also known as elder mistreatment, generally refers to any knowing, intentional, or negligent act by a family member, caregiver, or other person in a trust relationship that causes harm or creates a serious risk of harm to an older person. Elder abuse may include abuse that is physical, emotional/psychological (including threats), or sexual; neglect (including abandonment); and financial exploitation. This is a general definition; state definitions of elder abuse vary. Some definitions may also include fraud, scams, or financial crimes targeted at older people.

k. Hate Crime (Racial/Religious/Gender/Sexual Orientation/Other)

A criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin, or sexual orientation.

l. Human Trafficking: Sex/Labor

Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or the person induced to perform such act(s) has not attained 18 years of age. It also covers obtaining a person through recruitment, harboring, transportation, or provision, and subjecting such a person by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).

m. Identity Theft/Fraud/Financial Crimes

Identity theft occurs when someone wrongfully obtains another's personal information without their knowledge to commit theft or fraud. Fraud and financial crimes include illegal acts characterized by deceit, concealment, or violation of trust and that are not dependent upon the application or threat of physical force or violence. Individuals and organizations commit these acts to obtain money, property, or services; to avoid the payment or loss of money or services; or to secure personal or business advantage.

n. Kidnapping (noncustodial)

Occurs when someone unlawfully seizes, confines, inveigles, decoys, abducts, or carries away and holds for ransom or reward, by any person, except in the case of a minor by the parent thereof.

o. Kidnapping (custodial)

Occurs when one parent or guardian deprives another of his or her legal right to custody or visitation of a minor by unlawfully taking the child. The definition and penalties of custodial kidnapping vary by state. In some states, kidnapping occurs only if a child is taken outside of the state and/or if an existing custody order is intentionally violated. In all cases, international custodial kidnapping is a federal offense.

p. Mass Violence: Domestic/International

An intentional violent criminal act that results in physical, emotional, or psychological injury to a sufficiently large number of people to significantly increase the burden of victim assistance and compensation for the responding jurisdiction.

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q. Other Vehicular Victimization

May include hit-and-run crimes, carjacking, and other vehicular assault.

r. Robbery

Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

s. Stalking/Harassment

Individuals are classified as victims of stalking or harassment if they experienced at least one of the behaviors listed below on at least two separate occasions. In addition, the individuals must have feared for their safety or that of a family member as a result of the course of conduct, or have experienced additional threatening behaviors that would cause a reasonable person to feel fear. Stalking behaviors include making unwanted phone calls; sending unsolicited or unwanted letters or e-mails; following or spying on the victim; showing up at places without a legitimate reason; waiting at places for the victim; leaving unwanted items, presents, or flowers; and posting information or spreading rumors about the victim on the Internet/social media, in a public place, or by word of mouth.

t. Survivors of Homicide Victims

Survivors of victims of murder and voluntary manslaughter, which are the willful (intent is present) killing of one human being by another.

u. Teen Dating Victimization

Teen dating violence is defined as the physical, sexual, psychological, or emotional violence within a teen dating relationship, including stalking. It can occur in person or electronically and might occur between a current or former dating partner.

v. Terrorism: Domestic

The term terrorism means an activity that...(1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State; and (2) appears to be intended...(a) to intimidate or coerce a civilian population, (b) to influence the policy of a government by intimidation or coercion or (c) to affect the conduct of a government by assassination or kidnapping (18 U.S.C. 3077).

w. Terrorism: International

The *Antiterrorism and Emergency Reserve Fund Guidelines for Terrorism and Mass Violence Crimes* refers to the term terrorism, when occurring outside of the United States, as international terrorism to mean an activity that...(1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State; (2) appears to be intended...(a) to intimidate or coerce a civilian population; (b) to influence the policy of a government by intimidation or coercion; or (c) to affect the conduct of a government by assassination or kidnapping; and (3) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum (18 U.S.C. 2331).

OFFICE FOR VICTIMS OF CRIME
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PERFORMANCE MEASURES

SUBGRANTEE DATA REPORT

As mandated under the Government Performance and Results Act of 1993 (GPRA), the Office for Victims of Crime (OVC) is required to establish strategic planning, performance planning, and reporting as a framework to communicate progress in achieving its mission. GPRA serves as a foundation for helping Federal agencies to focus on their highest priorities and create a culture where data and empirical evidence play a greater role in policy, budget, and management decisions. This is achieved through the use of a performance measurement framework.

Performance measurement is concerned with collecting information to determine whether a program achieved its goals and objectives. Information from performance measurement is used to improve the operation of the program. These data are not used to “evaluate” programs but to understand the progress that programs achieve on the state and national level toward meeting program objectives and the mission of the agency.

OVC’s intent is to use performance measurement data to understand the trends and changes grantees experience over time. With this practical understanding, OVC is better able to meet the requests of Congress, the Office of Justice Programs (OJP), the Department of Justice, the Office of Management and Budget, and other stakeholders and to offer insight into programmatic and policy considerations.

The following pages outline general questions and performance measures for the OVC Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program. The Victim Assistance program is designed to support comprehensive approaches within states and tribes to respond to incidences of victimization. The performance measures indicate to what extent grant activities meet the following goals and objectives:

- Support the provision of direct services to crime victims;
- Improve victim access to services;
- Increase victim knowledge of the criminal justice system;
- Assess impact of funded programs using performance management data;
- Provide more emphasis on evidence-based programs and practices;
- Increase partnerships with other OJP agencies that work with victims;
- Collect and analyze OVC performance management data; and
- Increase stakeholder satisfaction with OVC.

The Victim Assistance program performance measures are reported in two formats—quantitative (numeric responses) and qualitative (narrative responses). The quantitative data are reported quarterly or every 3 months, and the qualitative data are entered annually. In December of each calendar year, grantees must create an annual report from the PMT to upload into the Grants Management System (GMS). During the nonsubmission periods, grantees are encouraged to create a report from the PMT for their own records.

Data entry and reporting in the OVC Performance Measurement Tool (PMT) began January 1, 2016, for VOCA funded activities that occurred since October 1, 2015. Thereafter, data should be entered quarterly (October–December, January–March, etc.). The deadline for submitting data is 45 days after the close of the reporting period. **To meet this deadline, if grantees choose to have their subgrantees submit this data, then the grantee may need to establish earlier reporting deadlines for their subgrantees.**

If grantees have questions about the VOCA award reporting requirements, please contact your OVC Victim Justice Program Specialist. **If subgrantees have questions about reporting requirements, please contact your VOCA State Administrator.**

If you have any questions about the performance measures or OVC PMT, please e-mail the OVC PMT Help Desk (OVCPMT@ojp.gov) or call toll-free: 1-844-884-2503, Monday–Friday, 8:30 a.m.–5:30 p.m. EST.

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PERFORMANCE MEASURES
SUBGRANTEE DATA REPORT

I. POPULATION DEMOGRAPHICS

*This section should be completed each reporting period.
Source of data: Activities conducted at the subgrantee level*

1. **TOTAL** number of individuals who received services during the reporting period.

INSTRUCTIONS: Count all individuals served by your organization with the use of VOCA plus match funds during the reporting period. This number should be an unduplicated count of people served during a single reporting period, regardless of the number of services they received or victimization types with which they presented. **DO NOT count anonymous contacts here. They should be reported in question 2. If your organization only had anonymous contacts, enter zero (0).**

Number

2. **TOTAL** number of anonymous contacts received during the reporting period.

INSTRUCTIONS: COUNT all anonymous contacts received by your organization through a hotline, online chat, or other service where the individuality of each contact cannot be established. If your organization did not have any anonymous contacts enter zero (0).

Number

3. Of the number of individuals entered in question 1, how many were **NEW** individuals who received services from your agency for the first time during the reporting period.

INSTRUCTIONS: Report the number of **NEW** individuals served with the use of VOCA plus match funds for the first time during the reporting period. This number should be an unduplicated count of identified NEW clients served during a single reporting period, regardless of the number of services they received or victimization types with which they presented.

For the first reporting period of your subaward, ALL individuals should be counted as new.

Number

4. **If your organization cannot track new individuals, please check the box below indicating such.**

☐

We cannot track new individuals.

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5. Demographics (for NEW individuals identified in Question 3).

INSTRUCTIONS: Count each NEW individual in only one race/ethnicity type as self-reported. Individuals who self-report in more than one race and/or ethnicity category should be counted in the "Multiple Races" category. The total number of individuals in each demographic category should equal the number of NEW individuals reported in Question 3. This data is used for statistical purposes to comply with Federal regulations.

All "0" entries must represent a true value of zero.

If no data are collected for a category, enter "NT" in that category to mark it as **Not Tracked**. This means that the subgrantee is not yet able to submit data in this category due to the need to update its data collection system but that efforts are under way to track data as requested. In the "Not Tracked" category provided, report the number of individuals who did not have demographic data tracked.

If no data are collected for an individual, count that individual in the **Not Reported** category. This means that the subgrantee collects this data, but the data were not provided by the person completing the intake form.

Category	Population	Number of NEW Individuals
A. RACE/ETHNICITY (self-reported) See Appendix A for definitions of each race/ethnicity category.	American Indian/Alaska Native	Number
	Asian	Number
	Black/African American	Number
	Hispanic or Latino	Number
	Native Hawaiian and Other Pacific Islander	Number
	White Non-Latino/Caucasian	Number
	Some Other Race	Number
	Multiple Races	Number
	Not Reported	Number
	Not Tracked	Number
TOTAL	Auto-calculated (Must equal number reported in Question 3)	
B. GENDER IDENTITY (self-reported)	Male	Number
	Female	Number
	Other (brief description, if applicable)	Number
		Description:
	Not Reported	Number
	Not Tracked	Number
TOTAL	Auto-calculated (Must equal number reported in Question 3)	
C. AGE (self-reported) Report the age of the victim at the time of the victimization.	0–12	Number
	13–17	Number
	18–24	Number
	25–59	Number
	60 and Older	Number
	Not Reported	Number
	Not Tracked	Number
TOTAL	Auto-calculated (Must equal number reported in Question 3)	

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6. Types of Victimizations (for ALL individuals identified in Questions 1 and 2).

*If no data are collected for a category, enter "NT" in that field to represent **Not Tracked**. This means that the subgrantee is not yet able to submit data in this category due to the need to update its data collection system, but that efforts are under way to track data as requested.*

Individuals who received services by victimization type INSTRUCTIONS:	Victimization Type	A. Number of individuals who received services based on the presenting victimization during the reporting period
<p>Enter the count of individuals who received services based on each presenting victimization type during the reporting period.</p> <p>An individual MAY be counted in more than one victimization type.</p> <p>An individual MAY NOT be counted more than once within the same victimization type.</p> <p>See Appendix B for definitions of each victimization type.</p>	Adult Physical Assault (includes Aggravated and Simple Assault)	Number
	Adult Sexual Assault	Number
	Adults Sexually Abused/Assaulted as Children	Number
	Arson	Number
	Bullying (Verbal, Cyber, or Physical)	Number
	Burglary	Number
	Child Physical Abuse or Neglect	Number
	Child Pornography	Number
	Child Sexual Abuse/Assault	Number
	Domestic and/or Family Violence	Number
	DUI/DWI Incidents	Number
	Elder Abuse or Neglect	Number
	Hate Crime: Racial/Religious/Gender/Sexual Orientation/Other (explanation required)	Number
	Please explain:	
	Human Trafficking: Labor	Number
	Human Trafficking: Sex	Number
	Identity Theft/Fraud/Financial Crime	Number
	Kidnapping (noncustodial)	Number
	Kidnapping (custodial)	Number
	Mass Violence (Domestic/International)	Number
	Other Vehicular Victimization (e.g., Hit and Run)	Number
	Robbery	Number
	Stalking/Harassment	Number
Survivors of Homicide Victims	Number	
Teen Dating Victimization	Number	
Terrorism (Domestic/International)	Number	
Other	Number	
If other, please explain:		
B. Of the individuals who received services, how many presented with more than one type of victimization during the reporting period?		Number
C. Special classifications of individuals (self-reported) INSTRUCTIONS: Enter the number of individuals who self-identify in one or more of these categories.	Deaf/Hard of Hearing	Number
	Homeless	Number
	Immigrants/Refugees/Asylum Seekers	Number
	LGBTQ	Number
	Veterans	Number
	Victims with Disabilities: Cognitive/Physical /Mental	Number
	Victims with Limited English Proficiency	Number
	Other	Number
If other, please explain:		

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II. DIRECT SERVICES

Complete this section each reporting period.

7. Number of individuals assisted with a victim compensation application during the reporting period:

INSTRUCTIONS: Count the number of individuals who received assistance with completing a victim compensation application during the reporting period, even if they did not submit the application. Simply providing an individual with an application does NOT qualify as assistance.

Number

8. Select the types of services provided by your organization during the reporting period:

- A. Information & Referral
- B. Personal Advocacy/Accompaniment
- C. Emotional Support or Safety Services
- D. Shelter/Housing Services
- E. Criminal/Civil Justice System Assistance

9. Total **number of individuals who received services** by service type AND **number of times each service was provided** during the reporting period

INSTRUCTIONS: For each category (items A, B, C, D, and E) selected in Question 8, enter the **number of clients** who received services from your agency during the reporting period. For each subcategory within a category (e.g., items A1, A2, A3, and A4), enter the **number of times that service was provided** during the reporting period. Zero is a valid response.

Because some clients may receive multiple services, the total **number of times that services were provided** within a category may be greater than the **number of clients** who received those services.

A. INFORMATION & REFERRAL

Enter the **number of individuals** who received services in this category:

Number of individuals

Enter the **number of times** services were provided in each subcategory:

A1. Information about the criminal justice process

Number of occurrences

A2. Information about victim rights, how to obtain notifications, etc.

Number of occurrences

A3. Referral to other victim service programs

Number of occurrences

A4. Referral to other services, supports, and resources (includes legal, medical, faith-based organizations, address-confidentiality programs, etc.)

Number of occurrences

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B. PERSONAL ADVOCACY/ACCOMPANIMENT

Enter the **number of individuals** who received services in this category:

Number of individuals

Enter the **number of times services** were provided in each subcategory:

B1. Victim advocacy/accompaniment to emergency medical care

Number of occurrences

B2. Victim advocacy/accompaniment to medical forensic exam

Number of occurrences

B3. Law enforcement interview advocacy/accompaniment

Number of occurrences

B4. Individual advocacy (e.g., assistance in applying for public benefits, return of personal property or effects)

Number of occurrences

B5. Performance of medical or nonmedical forensic exam or interview, or medical evidence collection

Number of occurrences

B6. Immigration assistance (e.g., special visas, continued presence application, and other immigration relief)

Number of occurrences

B7. Intervention with employer, creditor, landlord, or academic institution

Number of occurrences

B8. Child or dependent care assistance (includes coordination of services)

Number of occurrences

B9. Transportation assistance (includes coordination of services)

Number of occurrences

B10. Interpreter services

Number of occurrences

C. EMOTIONAL SUPPORT OR SAFETY SERVICES

Enter the **number of individuals** who received services in this category:

Number of individuals

Enter the **number of times services** were provided in each subcategory:

C1. Crisis intervention (in-person, includes safety planning, etc.)

Number of occurrences

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C2. Hotline/crisis line counseling

Number of occurrences

C3. On-scene crisis response (e.g., community crisis response)

Number of occurrences

C4. Individual counseling

Number of occurrences

C5. Support groups (facilitated or peer)

Number of occurrences

C6. Other therapy (traditional, cultural, or alternative healing; art, writing, or play therapy, etc.)

Number of occurrences

C7. Emergency financial assistance (includes emergency loans and petty cash, payment for items such as food and/or clothing, changing windows and/or locks, taxis, prophylactic and nonprophylactic medications, durable medical equipment, etc.)

Number of occurrences

D. SHELTER/HOUSING SERVICES

Enter the **number of individuals** who received services in this category:

Number of individuals

Enter the **number of times services** were provided in each subcategory:

D1. Emergency shelter or safe house

Number of occurrences

D2. Transitional housing

Number of occurrences

D3. Relocation assistance (includes assistance with obtaining housing)

Number of occurrences

E. CRIMINAL/CIVIL JUSTICE SYSTEM ASSISTANCE

Enter the **number of individuals** who received services in this category:

Number of individuals

Enter the **number of times services** were provided in each subcategory:

E1. Notification of criminal justice events (e.g., case status, arrest, court proceedings, case disposition, release, etc.)

Number of occurrences

E2. Victim impact statement assistance

Number of occurrences

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E3. Assistance with restitution (*includes assistance in requesting and when collection efforts are not successful*)

Number of occurrences

E4. Civil legal assistance in obtaining protection or restraining order

Number of occurrences

E5. Civil legal assistance with family law issues (*e.g., custody, visitation, or support*)

Number of occurrences

E6. Other emergency justice-related assistance

Number of occurrences

E7. Immigration assistance (*e.g., special visas, continued presence application, and other immigration relief*)

Number of occurrences

E8. Prosecution interview advocacy/accompaniment (*includes accompaniment with prosecuting attorney and with victim/witness*)

Number of occurrences

E9. Law enforcement interview advocacy/accompaniment

Number of occurrences

E10. Criminal advocacy/accompaniment

Number of occurrences

E11. Other legal advice and/or counsel

Number of occurrences

Additional Comments:

INSTRUCTIONS: The textbox below is made available to offer any commentary or clarification that will help OVC to understand the data entered for the reporting period. Please reference the question number, where applicable.

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III. SUBGRANTEE ANNUALLY REPORTED OUTCOMES

You are asked to answer these questions once a year, at the end of the 12-month period, as of September 30. You may use up to 5,000 characters for each response that requires text.

10. Number of requests for services that were unmet because of organizational capacity issues:

Number

Please explain:

Text response

11. Does your organization formally survey clients for feedback on services received?

- A. Yes
B. No (*proceed to Question 14*)

12. Number of surveys **distributed** (*includes, but is not limited to, those distributed by hand, mail, or other methods*):

Number

13. Number of surveys **completed**:

Number

14. Please discuss some of the challenges your victim assistance program faced during the course of the Federal fiscal year.

Text response

15. Please describe some of the services that victims needed but you could not provide. What were the challenges that prevented you from providing those services?

Text response

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APPENDIX A¹

“American Indian or Alaska Native” refers to a person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicated their race(s) as “American Indian or Alaska Native” or reported their enrolled or principal tribe, such as Navajo, Blackfeet, Inupiat, Yup’ik, or Central American Indian groups or South American Indian groups.

“Asian” refers to a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. It includes people who indicated their race(s) as “Asian” or reported entries such as “Asian Indian,” “Chinese,” “Filipino,” “Korean,” “Japanese,” “Vietnamese,” and “Other Asian” or provided other detailed Asian responses.

“Black or African American” refers to a person having origins in any of the Black racial groups of Africa. It includes people who indicated their race(s) as “Black, African American, or Negro” or reported entries such as African American, Kenyan, Nigerian, or Haitian.

“Hispanic or Latino” refers to an individual who self-reports in one of the specific Spanish, Hispanic, or Latino categories listed on the Census 2010 questionnaire: “Mexican,” “Puerto Rican,” or “Cuban.” This also refers to those who indicate that they are “another Hispanic, Latino, or Spanish origin.” People who do not identify with one of the specific origins listed on the questionnaire but indicate that they are “another Hispanic, Latino, or Spanish origin” are those whose origins are from Spain, the Spanish-speaking countries of Central or South America, or the Dominican Republic. The terms “Hispanic,” “Latino,” and “Spanish” are used interchangeably.

“Multiple Races” refers to a person who may self-identify in more than one race or ethnicity category.

“Native Hawaiian or Other Pacific Islander” refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who indicated their race(s) as “Pacific Islander” or reported entries such as “Native Hawaiian,” “Guamanian or Chamorro,” “Samoan,” and “Other Pacific Islander” or provided other detailed Pacific Islander responses.

“White” refers to a person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicated their race(s) as “White” or reported entries such as Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian.

“Some Other Race” includes all other responses not included in the White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander race categories described above.

¹ <http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf>

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APPENDIX B

The descriptions below are based on Federal legislation (unless otherwise noted), which provides guidance to states by identifying a minimum set of acts or behaviors to define the crime. OVC understands that state statutes may vary. Please interpret your state code within the definitions provided to report requested data.

GENERAL DEFINITIONS:

- a. Child**
A person under the age of 18 or as otherwise defined by state law.
- b. Federal Fiscal Year**
October 1 through September 30.
- c. Services** (as defined by program guidelines)
 - i. Respond to the emotional and physical needs of crime victims;
 - ii. Assist primary and secondary victims of crime to stabilize their lives after a victimization;
 - iii. Assist victims to understand and participate in the criminal justice system; and
 - iv. Provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.
- d. Crime Victim or Victim of Crime**
A person who has suffered physical, sexual, financial, or emotional harm as the result of the commission of a crime.
- e. Teen**
OVC describes a teen (for purposes of this report) as a youth, ages 13–17. Use this definition to capture youth ages 13–17 who present for services for a primary and/or additional victimization where applicable: for example, teen dating victimization.
- f. Victim Funded Project**
VOCA funds plus match.
- g. Victim Services Program**
All services and activities offered on behalf of victims of crime, including the VOCA grant and match.

VICTIMIZATION TYPES:

- a. Adults Sexually Abused/Assaulted as Children**
Adult survivors of sexual abuse and/or assault suffered while they were children.
- b. Adult Physical Assault**
Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
Simple Assault: Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Intimidation, coercion, and hazing are included.
- c. Adult Sexual Assault**
Includes a wide range of victimizations; crimes that include attacks or attempted attacks generally involving unwanted sexual contact between victim and offender. Sexual assaults may or may not involve force and include such things as grabbing, fondling, and verbal threats. Also included is

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rape, which is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ by another person, without the consent of the victim; may also include penetration of the mouth by a sex organ by another person.

d. Arson

Any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, and so on.

e. Bullying (cyber, physical, or verbal)

Repeated, negative acts committed by one or more children against another. These negative acts may be physical or verbal in nature—for example, hitting or kicking, teasing or taunting—or they may involve indirect actions such as manipulating friendships or purposely excluding other children from activities. Implicit in this definition is an imbalance in real or perceived power between the bully and victim. Examples of cyberbullying include mean text messages or e-mails; rumors sent by e-mail or posted on social networking sites; and embarrassing pictures, videos, Web sites, or fake profiles.

f. Burglary

The unlawful entry of a structure to commit a felony or theft. The FBI's Uniform Crime Reporting (UCR) program includes three subclassifications: forcible entry, unlawful entry where no force is used, and attempted forcible entry. The UCR definition of "structure" includes apartment, barn, house trailer or houseboat when used as a permanent dwelling, office, railroad car (but not automobile), stable, and vessel (i.e., ship).

g. Child Physical Abuse and Neglect

This may include physical abuse that is nonaccidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.

h. Child Sexual Abuse and Assault

This may include activities such as fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution by a parent, caregiver, or other person. Includes teen sexual assault.

i. Child Pornography

Any visual depiction, including any photograph, film, video, picture, drawing, or computer or computer-generated image or picture, which is produced by electronic, mechanical, or other means, of sexually explicit conduct, where: (1) its production involved the use of a minor engaging in sexually explicit conduct; (2) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct; (3) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (4) it is advertised, distributed, promoted, or presented in such a manner as to convey the impression that it is a visual depiction of a minor engaging in sexually explicit conduct.

j. Domestic and/or Family Violence

A crime in which there is a past or present familial, household, or other intimate relationship between the victim and the offender, including spouses, ex-spouses, boyfriends and girlfriends, ex-boyfriends and ex-girlfriends, and any family members or persons residing in the same household as the victim. Involves a pattern of abusive behavior in any relationship that is used by

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one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

k. DUI/DWI Incidents

Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

l. Elder Abuse/Neglect

Also known as elder mistreatment, generally refers to any knowing, intentional, or negligent act by a family member, caregiver, or other person in a trust relationship that causes harm or creates a serious risk of harm to an older person. Elder abuse may include abuse that is physical, emotional/psychological (including threats), or sexual; neglect (including abandonment); and financial exploitation. This is a general definition; state definitions of elder abuse vary. Some definitions may also include fraud, scams, or financial crimes targeted at older people.

m. Hate Crime (Racial/Religious/Gender/Sexual Orientation/Other)

A criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin, or sexual orientation.

n. Human Trafficking: Sex/Labor

Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or the person induced to perform such act(s) has not attained 18 years of age. It also covers obtaining a person through recruitment, harboring, transportation, or provision, and subjecting such a person by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).

o. Identity Theft/Fraud/Financial Crimes

Identity theft occurs when someone wrongfully obtains another's personal information without their knowledge to commit theft or fraud. Fraud and financial crimes include illegal acts characterized by deceit, concealment, or violation of trust and that are not dependent upon the application or threat of physical force or violence. Individuals and organizations commit these acts to obtain money, property, or services; to avoid the payment or loss of money or services; or to secure personal or business advantage.

p. Kidnapping (noncustodial)

Occurs when someone unlawfully seizes, confines, inveigles, decoys, abducts, or carries away and holds for ransom or reward, by any person, except in the case of a minor by the parent thereof.

q. Kidnapping (custodial)

Occurs when one parent or guardian deprives another of his or her legal right to custody or visitation of a minor by unlawfully taking the child. The definition and penalties of custodial kidnapping vary by state. In some states, kidnapping occurs only if a child is taken outside of the state and/or if an existing custody order is intentionally violated. In all cases, international custodial kidnapping is a federal offense.

r. Mass Violence: Domestic/International

An intentional violent criminal act that results in physical, emotional, or psychological injury to a sufficiently large number of people to significantly increase the burden of victim assistance and compensation for the responding jurisdiction.

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s. Other Vehicular Victimization

May include hit-and-run crimes, carjacking, and other vehicular assault.

t. Robbery

Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

u. Stalking/Harassment

Individuals are classified as victims of stalking or harassment if they experienced at least one of the behaviors listed below on at least two separate occasions. In addition, the individuals must have feared for their safety or that of a family member as a result of the course of conduct, or have experienced additional threatening behaviors that would cause a reasonable person to feel fear. Stalking behaviors include making unwanted phone calls; sending unsolicited or unwanted letters or e-mails; following or spying on the victim; showing up at places without a legitimate reason; waiting at places for the victim; leaving unwanted items, presents, or flowers; and posting information or spreading rumors about the victim on the Internet/social media, in a public place, or by word of mouth.

v. Survivors of Homicide Victims

Survivors of victims of murder and voluntary manslaughter, which are the willful (intent is present) killing of one human being by another.

w. Teen Dating Victimization

Teen dating violence is defined as the physical, sexual, psychological, or emotional violence within a teen dating relationship, including stalking. It can occur in person or electronically and might occur between a current or former dating partner.

x. Terrorism: Domestic

The term terrorism means an activity that . . . (1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State; and (2) appears to be intended . . . (a) to intimidate or coerce a civilian population, (b) to influence the policy of a government by intimidation or coercion or (c) to affect the conduct of a government by assassination or kidnapping (18 U.S.C. 3077).

y. Terrorism: International

The *Antiterrorism and Emergency Reserve Fund Guidelines for Terrorism and Mass Violence Crimes* refers to the term terrorism, when occurring outside of the United States, as international terrorism to mean an activity that . . . (1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; (2) appears to be intended . . . (a) to intimidate or coerce a civilian population; (b) to influence the policy of a government by intimidation or coercion; or (c) to affect the conduct of a government by assassination or kidnapping; and (3) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum (18 U.S.C. 2331).

z. Violation of a Court Order

This is defined by state or jurisdiction.

Office for Victims of Crime
Victim Assistance Formula Grants Program
GRANTEE REPORT (Narrative)
Due: October 15

The Grantee Report is a requirement for the grantees that receive VOCA Assistance funding from OVC to deliver Victim Assistance Services. The purpose of the Grantee Reports is to collect qualitative data from grantees regarding VOCA-funded Victim Assistance Programs that operate in their State.

Reporting this information in the OVCPMT will allow for consideration along with the data that is submitted by subgrantees for a given reporting period.

- 1 It is expected that the information will be completed and submitted by the State agency (i.e. grantee) at the end of the each federal fiscal year.
- 2 Responses will be submitted as a part of the Performance Data Report that contains the aggregated subgrantee data submitted during the federal fiscal year. Please be as detailed as possible.
- 3 The subgrantee information should be **submitted to CPJAD no later than October 15.** After the data is marked as complete, the OVC PMT will automatically generate a report that will be submitted through the GMS System.

Office for Victims of Crime
Victim Assistance Formula Grants Program
GRANTEE REPORT (Narrative)
Due: October 15

GRANTEE ANNUALLY REPORTED QUESTIONS

You are asked to answer these questions once a year; at the end of the 12-month period, as of September 30.

1. Were any administrative and training funds used during the reporting period?

If YES, please briefly describe what those funds were used for (up to 500 words)

2. Did the administration funds support any education activities during the reporting period?

(Yes/No)

(If NO, go to Question #8)

3. Number of requests received for education activities during the reporting period.

4. Number of people trained or attending education events during the reporting period.

5. Number of events conducted during the reporting period.

6. Describe any program or educational materials developed during the reporting period (e.g. postcards, media, brochures, websites, apps).

7. Describe any planning or training events held during the reporting period.

8. Did the grant support any coordination activities (e.g. with other service providers, law enforcement agencies) during the reporting period? (Yes/No)

9. Describe any program policies changed during the reporting period.

GRANTEE ANNUALLY REPORTED QUESTIONS

You are asked to answer these questions once a year; at the end of the 12-month period, as of September 30.

10. Describe any earned media coverage events/episodes during the reporting period.

Earned media coverage refers to media attention on radio, print, or TV that has not been purchased (e.g. Public Service Announcements). If an agency/organization holds a press conference and it appears the local newspaper or is highlighted on TV, the media attention has been "earned" and not paid for.

11. Describe any coordinated responses/services for assisting crime victims during the reporting period.

12. Please discuss the major issues in your state that either assist or prevent victims from receiving assistance during the reporting period.

13. Please describe ways that your agency promoted the coordination of public and private efforts within the community to help crime victims during the reporting period.

14. Please describe any notable activities at the subgrantee level during the reporting period that improved delivery of victim services.

15. Please discuss each priority area (i.e. child abuse, domestic violence, sexual assault, and underserved), as it applies to your agency, in which VOCA funds have been used to assist crime victims during the reporting period (e.g. using case histories or other descriptions; case histories or other materials may be submitted. **Attach addendum of case studies if needed.**

Child Abuse

Domestic Violence

Sexual Assault (Adult/Child)

Underserved

16. Please briefly describe efforts taken to service victims of Federal crime during the reporting period.

17. Please identify any emerging issues or notable trends affecting crime victim services in your state during the reporting period.

18. Please briefly outline any staffing retention issues that your victim assistance program has and why these issues may have occurred during the reporting period (e.g., high turnover due to insufficient salary, insufficient benefits, and heavy workload).

19. Please explain your state process to publicize its victim assistance funding for services to victims of crime during the reporting period.

20. Please explain how your agency is able to direct funding to new/underserved populations during the reporting period.

21. Please explain how your program is able to respond to gaps in services during the reporting period.

22. Please list and explain any outcome measure(s) that are reported to the governor, legislature, or other state entity during the reporting period.

APPENDIX F

FREQUENTLY ASKED QUESTIONS

FREQUENTLY ASKED FISCAL QUESTIONS & ANSWERS

Cash on Hand

1. What is the maximum allowed for Cash on Hand?

ANSWER: \$0. Grantee should request funds based upon immediate disbursement requirements. Funds are to be requested as project costs are incurred or anticipated. Grantee should time their drawdown requests to ensure that the cash on hand is the minimum for disbursements to be made immediately or within a few days. CPJAD will ask for the return of funds if the cash on hand is excessive and/or will not be expended in a timely manner.

2. For the final Request for Funds and Cash Balance Report (RFF) (AG/CPJAD #7), is it okay to leave a balance of more than \$0 in Part B.3. Ending Cash Balance?

ANSWER: No, any federal monies that were requested and not expended should be returned to CPJAD. The ending cash balance should be \$0 when submitting the final RFF report.

Time Sheets

1. Who is responsible for monitoring all of the time sheets completed by the staff paid with federal funds?

ANSWER: The Project Director and Financial Officer. The Project Director and the Financial Officer should have completed time sheets from all grant-funded staff to verify that the time spent by staff working on the project is consistent with the contract. During monitoring visits, the specialists are looking for whether the Financial Officer and Project Director are providing both cost and program management.

Allowable Cost

1. Can grant funds be obligated if the project period ends September 30, 2016 but the training will be held on October 15, 2016?

ANSWER: No. The project-funded activities (training) as well as the obligation must fall within the project period

Procuring Goods and Services and/or Health and Human Services

1. Are federal funds subject to state and/or county procurement rules?

ANSWER: Yes. State and county procurement rules are to be followed by the Grantee. While state and county procurement rules apply, additional federal rules for expenditures may also apply.

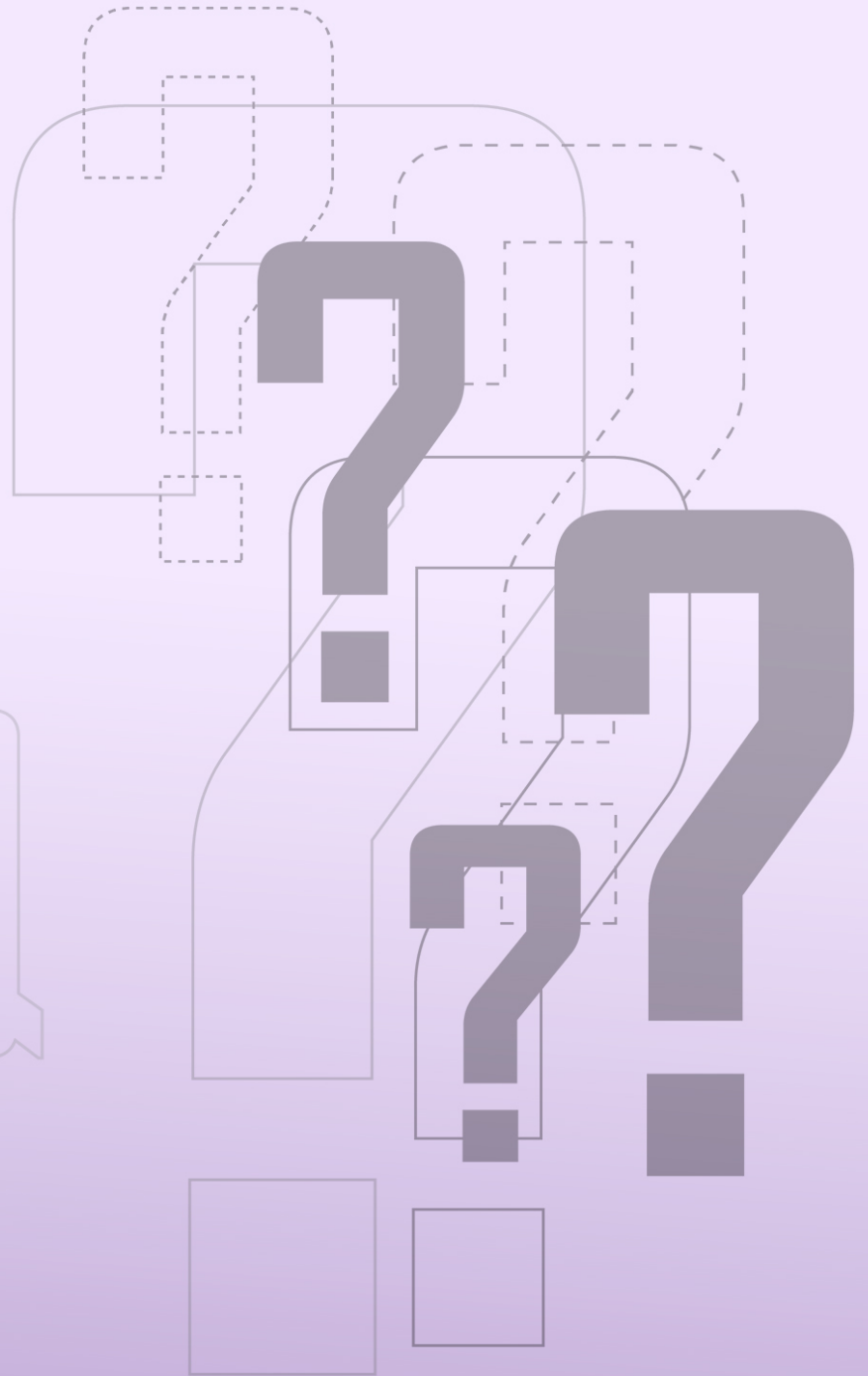
2. Is the Grantee subject to the purchasing policies of its own agency even though the policy may be higher than the federal requirements?

ANSWER: Yes, it could be. If the policy is an agency or department-wide policy that is implemented regardless of the source of the funds, then the policy shall apply to the federally-funded project as well.



Office for Victims of Crime
OVC

FAQ



VOCA Victim Assistance Program Subgrantee Data Report

Frequently Asked Questions

I. Introduction

The purpose of this document is to assist grantees and subgrantees in completing and submitting an accurate Subgrantee Data Report. This document is a companion to the Subgrantee Data Report Questionnaire and identifies what, when, where, and how data should be reported. We encourage individuals to start the reporting process by reviewing the Subgrantee Data Report Questionnaire, and then reviewing this document for additional details about the performance measures.

The accuracy and timeliness of reporting data is extremely important. Data reported by grantees allows the Office for Victims of Crime (OVC) to demonstrate the value and specific benefits of the program to government agencies, the victim services field, the general public, and other stakeholders. OVC uses the data inputted by grantees and subgrantees to generate an annual report on the program, as well as to respond to specific inquiries.

II. Accessing the Subgrantee Data Report

1. As a subgrantee, how can I access my organization's records in the Performance Measurement Tool (PMT) to complete our reporting?

You must contact your State Administering Agency (SAA) (i.e., the grantee) to get access to your organization's Subgrantee Data Report. Your SAA must enter information about your organization's subaward into the system and grant your organization the ability to enter data. When the SAA does this, your organization's point of contact, as indicated by the SAA, will receive an email from the OVC PMT system to set up a user account. The OVC PMT Helpdesk cannot grant subgrantees access. The Helpdesk Subject Matter Experts (SMEs) can assist SAAs in giving a subgrantee access.

III. Data Reporting Timeline and Protocols

2. As a subgrantee, what is my role in the performance measure reporting process?

Subgrantees have a role in collecting data, reporting data, and communicating with the SAA about the reporting process. The following are roles of the subgrantee:

Collecting:

- Collect data for all performance measures listed in the PMT.
- Consider using the Subgrantee Data Tracking Template to collect and aggregate data on individual victims served.

Reporting:

- Report data on a quarterly basis.
- Follow state processes and deadlines for submitting performance data.

Communicating:

- Contact the SAA if there are questions about how to report data.
- Look for emails from the SAA and the OVC PMT Helpdesk with reminders and information.
- Respond to inquiries from the SAA about data entered.

3. When should subgrantees complete reporting?

Subgrantees should contact their SAA for report due dates because each state's internal reporting deadlines may be different than OVC's reporting deadlines. States have a responsibility to review and approve data entered by subgrantees prior to completing data entry in the PMT by OVC's deadline, which means states may require subgrantees to submit their data early.

Below are the deadlines for grantees to complete data entry in the PMT. Clarify any internal due dates with your SAA. States may require subgrantees to enter data earlier than the OVC deadline to build in time to review, clarify, and approve subgrantee data prior to the OVC deadline.

Quarterly Reporting in PMT			
Reporting Period	Submission Period	Content	Deadline for Grantees to Complete Data Entry in the PMT
October 1–December 31	January 1–February 15	Performance Measures	February 15
January 1–March 31	April 1–May 15	Performance Measures	May 15
April 1–June 30	July 1–August 15	Performance Measures	August 15
July 1–September 30	October 1–November 15	Performance Measures & Narrative Questions	November 15

Note: Remember to only report activities that occurred during the reporting period.

4. Will the state be required to submit a Subgrantee Data Report for each subgrantee, or can the state aggregate the data into one report?

States should submit a Subgrantee Data Report for each Victims of Crime Act (VOCA)-funded subgrantee for each quarter within the period of performance of the subawards. States can allow subgrantees to enter the data or states can collect and enter the data for each subgrantee each quarter. At the conclusion of the federal fiscal year, grantees must respond to narrative questions about the previous fiscal year and generate an Annual Performance Data Report which aggregates data from all subawards funded by the SAA. Grantees must upload this annual report into the Grants Management System (GMS) by December 30.

5. How should grantees be reviewing subgrantee quarterly data for accuracy?

Grantees should have a subgrantee monitoring processes in place to ensure subgrantees are accurately collecting data and maintaining supporting documentation. Grantees must adequately review and approve subgrantee performance data if the subgrantee enters it directly into the PMT.

As grantees review subgrantee data, they should ask:

- Are all questions fully answered?
- Is anything missing?
- Does this report make sense given the subgrantee's funding, staffing, and objectives?
- Is the subgrantee counting non-VOCA funded activities in their report?
- Is the subgrantee report applicable to the right reporting period?

6. Are there planned updates to the current OVC Victim Assistance performance measures?

No, OVC does not currently plan to update any performance measures. Performance measures may change in the future to meet the requirements of any legislative, policy, or procedural change.

7. Is the aggregate performance measure data consistent with changes made to the measures?

Consistency in reporting is the only way to show how things change over time and that data reported for the measures will be consistent going forward. The changes made in the past were part of a planned performance measure verification process, where analysts reviewed data reported, identified specific changes needed to make the measures clearer, and implemented those changes. OVC will take this into consideration when analyzing and presenting data from before and after the measure changes.

8. Is OVC expecting all subgrantees to embrace data collection and reporting?

Yes, in order to have reliable, high-quality data, all subgrantees should be tracking the required performance measure data or implementing processes to track performance measure data. If subgrantees are not currently collecting data to support their reporting in PMT, they should develop their data collection processes and tools as soon as possible so they can fully and accurately report on all of the required performance measures.

9. If subgrantees do not have the option to select the current reporting period and begin data entry, what should they do?

In order for a subgrantee to report on the most recent reporting period, several conditions need to be met—

1. Subgrantee Award Report (SAR) dates must include the current reporting period
2. Awards must be active
3. Reports from previous reporting periods must be completed and submitted
4. Grantees need to enable subgrantees to enter data on the Subgrantee List page.

If you find you are unable to select the current reporting period, contact your SAA to make sure all of the conditions above have been met. If you still are unable to report, the SAA will contact the OVC PMT Helpdesk to resolve the issue.

IV. Population Demographics Section (Questions 1-5 in PMT system)

10. Should the “total number of individuals who received services during the reporting period” in Question 1 of the Population Demographics section of the questionnaire include primary and secondary victims?

This total should include all individuals who receive services funded by VOCA plus match funds, regardless of how your organization or state classifies them.

11. If my organization provides various types of services and can report an unduplicated count of individuals served for some services but not others, should I check the checkbox in Question 3 that asks if we cannot track individuals?

Yes, if the total count of people you served includes any people who may have been counted more than once during the reporting period, please check the box.

12. Some subgrantee victim advocates are funded by both VOCA assistance and non-VOCA funding. How should I report on the number of victims served?

Subgrantees should only report on victims served through VOCA plus match funds. If a victim advocate is funded through several sources, subgrantees should prorate the total number of victims served by that advocate to identify the portion supported by VOCA funds. For example, if a victim advocate's salary is funded 50 percent by VOCA funds, then the subgrantee may report on 50 percent of the total victims served by this advocate in its Subgrantee Data Report. If the advocate served a total of 16 victims during the reporting period, then the subgrantee can report 8 (50 percent) as supported with VOCA funds.

13. Performance Measure Question 3 asks, "Of the number of individuals entered in Question 1, how many were NEW individuals who received services from your agency for the first time during the reporting period?" Does "individuals served...for the first time during the reporting period" mean served for the first time ever, for the first time that year, or for the first time during that reporting period?

"For the first time" is referring to the first time under the subaward, regardless of the subaward length. Please see the table below for two examples.

Subaward Period of Performance	First Reporting Period	Reporting Guidance
October 2018–September 2019	October 2018–December 2018	Count everyone from Question 1 as new for October–December 2018. For January–March 2019 and beyond, report only individuals who were served for the first time during that reporting period.
January 2019 – December 2019	January 2019–March 2019	Count everyone from Question 1 as new for January–March 2019. For April–June 2019 and beyond, report only individuals who were served for the first time during that reporting period.

V. Demographics for New Individuals

14. The performance data collection form for race, gender, and age has a "Not Tracked" option. Does that mean it is OK to not collect and report that information (i.e., it is acceptable to continue that practice)?

No. OVC's guidance is for states and their subgrantees to collect and report the race/ethnicity, gender, and age categories of victims served. The "Not Tracked" option allows the state or subgrantee to indicate to OVC that the organization is unable to collect the data in the format requested during the reporting period due to the need to change the local data collection system. The state or subgrantee needs to have efforts underway to track and submit the data as requested, as soon as possible. It is OVC's expectation that the "Not Tracked" option will be gradually phased out as subgrantees develop the capacity to track the data as requested.

Race/Ethnicity

- 15. How should agencies report those who self-identify as Hispanic or Latino? When combining race with ethnicity, should a person be reported in the “Multiple Races” category? For example, for a client who identifies as Black/African American and Hispanic, should we report that person in the “Multiple Races” category (even though Hispanic is an ethnicity and not a race)?**

Yes, this client should be reported in the “Multiple Races” category. OVC’s intent is to capture those people who self-identify solely as Hispanic or Latino as well as those who self-identify as both Hispanic or Latino and some other race. Those who self-identify as both Hispanic or Latino and some other race—for example, both Black and Hispanic—should be counted in the “Multiple Races” category. Each new person receiving services should be counted in only one category.

Grantees and subgrantee organizations are required to update their data collection processes to track people served through VOCA plus match funding within the demographic categories provided. If subgrantees have not fully updated their processes yet, states and agencies should report demographic information to the best of their ability.

Gender Identity

- 16. How should a client’s gender be reported?**

All demographic data for the Subgrantee Data Report is self-reported by the client or person receiving services. Please report the gender identity the client reports. Gender options within the PMT are female, male, and other (with a description of any other gender identities reported by clients).

- 17. In Question 4B, which refers to an individual’s gender, how do we report a client who identifies as a trans-male?**

In this situation, you may use the “Other” category, and you can provide a brief explanation that the client identifies as “trans-male” in the description.

Age

- 18. For Question 4C, which refers to a person’s age, does this mean age at the time of the crime/victimization or age at the time the person received services?**

Age should reflect the age at the time of the crime/victimization, as reported on the intake form.

VI. Types of Victimization

- 19. My subgrantees would like further clarification on the victimization types listed in the PMT. Can OVC provide additional definitions and/or examples of specific offenses to include in each category?**

Because state statutes vary, OVC cannot provide specific examples of victimization types beyond what is included in Appendix B of the Subgrantee Data Report Questionnaire. Instead, grantees are encouraged to interpret the definitions OVC provided within the context of their state codes and offer their subgrantees specific examples, based on state law.

- 20. Under “Types of Victimizations,” the first column states: “Do not count an individual more than once for the same victimization type.” If a domestic violence (DV) victim comes to a shelter in October, goes back home in November, is abused again, and then reenters a shelter in December, that is two individual intakes and two individual stays for the same victimization type, yet the form suggests this person would only be counted once.**

Your understanding is correct. As in your example, a person may be a victim of DV over a long period and may suffer many individual assaults; that victim is still presenting a single victimization type—DV—and you would report the victimization one time.

The intent of this question is to capture how many people present with each victimization type during the reporting period, not to measure how often services were provided; that is addressed in the Direct Services section.

- 21. It is possible that a person can be the victim of several victimization types, such as both sexual assault and burglary in a quarter. How is that reported?**

Scenario	Answer
Scenario 1 – A person comes in multiple times for the same type of victimization (e.g., DV).	Record the person one time for the type of victimization (e.g., DV).
Scenario 2 – A person comes in once for one type of victimization (e.g., assault). Then, the same person comes back for services on a different type of victimization (e.g., fraud).	Record this individual once for each category (e.g., once under assault and once under fraud). This individual would be counted as experiencing “multiple victimizations.”
Scenario 3 – A person comes in for one type of victimization (e.g., DV). While servicing that individual for DV, the provider uncovers that the individual has also experience other types of victimization (e.g., sexual assault). The provider then starts to serve the individual for both DV and sexual assault.	Report the victimization that the individual first presented. If the individual came for services only for DV, then for that quarter the subgrantee would report this individual only for DV. If the individual continued to get services in the subsequent quarters for both DV and sexual assault, then in Quarter 2 and beyond this individual would be counted as once for DV and once for sexual assault. This person would be counted as experiencing “multiple victimizations.”

- 22. In Appendix B, the definition of “Domestic and/or Family Violence” refers to “past or present family, household...relationship...and any family members or persons residing in the same household as the victim.” Does this only refer to adult relationships? If not, this definition would overlap with the definition of child sexual abuse that includes “activities by a parent or caregiver” as well as child physical abuse/neglect “inflicted by a parent, caregiver, or other person.”**

Yes, the category of Domestic and/or Family Violence pertains primarily to violence against adult family members. Any sexual offense against a child should be counted within the category of Child Sexual Abuse and Assault (Appendix B, item H), and any nonsexual, nonaccidental physical injury to a child perpetrated by an adult should be counted within the category of Child Physical Abuse and Neglect (Appendix B, item G).

- 23. Are agencies that serve a target population expected to track ALL victimization types listed in the report? For instance, is a DV shelter expected to track Driving Under the Influence (DUI)/Driving While Intoxicated (DWI) victimization, even though it almost never sees clients with that victimization type?**

Because agencies are asked only to report the victimization types for which they provide services, agencies are expected to track only the victimization types for which they are able to provide services.

- 24. Under Question 5A (Hate Crimes) in the PMT system, my organization entered “0” in the numeric field because we did not serve individuals with this victimization type. The PMT indicated we needed to provide an explanation in the open narrative field for this item. How should we properly report on this question?**

The system requires that the “explanation” field be filled in if there is any number (including zero) in the “hate crimes” field. Subgrantees should enter “N/A” in the explanation if the number served is zero. The “hate crimes” and its “explanation” field should be consistent. If there is a “0” in hate crimes, then the explanation should be “N/A.” If there were hate crime victims served, then a number should be entered and the explanation should be identify the type of hate crimes seen or note that these could not be determined.

- 25. In the “Special Classifications of Victims” table, will there be a drop-down list of Lesbian Gay Bisexual Transgender Queer (LGBTQ) terms, or is it expected that the descriptive word will be inserted by the person reporting, for example, “transgender man”?**

No, there will not be a drop-down list of LGBTQ terms. This question collects the total number of LGBTQ individuals an agency served. For example, out of the 25 clients served, if 5 described themselves as transgender, that number would be applied to the special classification for “LGBTQ.” You may include descriptive text around clients’ gender identity in the demographic section for gender using the “Other” data field and the “Description of Other” data field.

- 26. How should attempted murder be categorized in the “Types of Victimizations” chart?**

Attempted murder and other violent assaults should be reported as “Adult Physical Assault,” which includes both simple and aggravated assaults. Aggravated assault includes assaults accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

- 27. How should I report on property crime?**

Property crime may be reported in the Victimization Types chart as “other.”

- 28. Special classifications: If an agency currently does not track this information, is the agency supposed to indicate this somewhere, or just leave the section blank, as it is all self-reported?**

If your agency does not yet track a certain category, enter “NT” for “Not Tracked” in that category to indicate that you are unable to submit the data as requested. OVC expects that efforts are underway to track this data as requested in the future.

- 29. The U.S. Department of Housing and Urban Development (HUD) definition of homelessness includes survivors of domestic violence who are fleeing abuse. Should we log all victims of DV receiving emergency shelter services with us in the “homeless” category, regardless of whether they have a home (because it’s not safe to reside there)?**

Define homeless as your program defines it for the clients served.

- 30. For “DUI/DWI incidents,” does this include the death of another person while operating the motor vehicle, or does it refer to only injury to victim(s)?**

Yes, it includes all victimizations (including manslaughter) that result from DUI incidents. Please see Appendix B in the Subgrantee Data Report Questionnaire for full definitions of victimization types.

- 31. The list of victimization types includes “adult sexual assault” and “child sexual assault,” but does not include “teen sexual assault.” However, it does include “teen dating victimization,” but this would only apply if a teenager was sexually assaulted by a dating partner. What if a high school student is sexually assaulted by another student?**

For the purposes of this questionnaire, the definition of “child” includes all individuals under the age of 18 or as otherwise defined by state law. Teen victimizations not associated with dating qualify as child victimizations. Victimization that occurs within a teen dating relationship should be reported as “teen dating victimization.”

- 32. In the “Types of Victimization” list, “stalking” is connected to “harassment.” These may be two different types of behavior. Should they be separated?**

Stalking and harassment are related and may be defined either separately or under the same statute, depending on the state. The definition of stalking provided in Appendix B of the Subgrantee Data Report Questionnaire is a working definition to provide general understanding. For the purpose of consistency, OVC asks that you report on these as one category.

VII. Direct Services Section (Questions 6-8 in PMT system)

- 33. The instructions for the Direct Services section requests the number of people who received services from my agency during the reporting period. Previously, VOCA reporting requested client and service data for the VOCA-funded project (VOCA funds plus match) only. Should I be reporting data for the VOCA-funded project or the Victim Services Program as defined in Appendix B?**

Report data only on activities funded with VOCA plus match funding.

- 34. Some states may not have historically allowed some of the direct services that appear on the subgrantee report. Why are these included?**

Different states have different guidelines on what services are “allowed” or not allowed. As the PMT is used by all states, OVC included a wide range of services to accommodate any differences among states. OVC will only provide guidance on what is required by the program guidelines and legislation. It is not OVC’s intent to suggest services that states should offer with VOCA funds. The purpose of the Subgrantee Data Report is to capture data on the services offered by the subgrantee organizations funded in your state. The subgrantee organization would only submit data for those services that are funded with VOCA funds plus match.

- 35. One of our subgrantee agencies did not provide direct services with VOCA funds but did perform other VOCA-funded activities (e.g., public presentations, training volunteers who provide direct services, etc.). How should my state report its activities on the SAR?**

Because the SAR and Subgrantee Data Report are designed to collect basic information on the direct services that subgrantees provide to victims, these reports do not capture data on all activities that an agency might provide. In this example, create a SAR for this subgrantee. Because a response is required for Question 9 on the SAR regarding use of VOCA plus match funds, select “Information

about the criminal justice process” under “Information & Referral.” Activities outside of direct services can be described in the subgrantee annual narrative questions.

36. Under the Direct Services section, do the subcategories have to equal the number of individuals under each of the five main headings?

No, the subcategories do not need to equal the number of individuals, nor does OVC expect them to equal the number of individuals. This section asks agencies to report on two things: the number of individuals who received services in each category (the five main headings) and the number of times each particular service (subcategory) was provided. Because some clients may receive multiple services, or receive the same service multiple times, the total number of times services were provided within a category may be greater than the number of clients who received those services. OVC expects the total number of services provided within each category will be equal to or greater than the number of individuals served in that category.

37. What if we provide services multiple times for clients, or provide more than one service? How can we be sure not to duplicate the total number of services yet still show that we provided multiple services under one category?

Count the number of clients who were provided services in each category (e.g., information and referral). A single client may receive services in multiple categories and would be counted for each of those categories. Then, for each of the subcategories listed, indicate the number of times you provided that service. A single client may receive the same subcategory service multiple times. For example, if there were five instances of providing transportation assistance to the same client, you would report that the service was provided five times. The same client may also receive several subcategories of services within the same larger category.

38. Under Direct Services, “Law enforcement interview advocacy/accompaniment” is listed in two categories: “Personal Advocacy/Accompaniment” and “Criminal/Civil Justice System Assistance.” Should I report data in both?

No, the subgrantee should report on this service in only one category. Agencies must provide data only for the Direct Service categories they select. “Law enforcement interview advocacy/accompaniment” is listed in both categories so that agencies that provide only “Personal Advocacy/Accompaniment” but not “Criminal/Civil Justice System Assistance” (or vice versa) will have the opportunity to report on that specific service. If an agency provides both categories of service, it should report on “Law enforcement interview advocacy/accompaniment” only once, in whichever category best applies.

39. Some states use fewer or different groups of services/subcategories; they may not be able to disaggregate according to PMT categories/subcategories. Will states be allowed to group services into broader categories?

States and subgrantee organizations are required to update their data collection processes to track individuals in the service categories provided. In the meantime, states should report on these services to the best of their ability.

- 40. Question 8 refers to the “Total number of individuals who received services by service type.” Are subgrantees answering this question for services provided to new victims, or for new and returning victims?**

For this section, report on services provided to ALL victims served with VOCA plus match funds during the reporting period.

- 41. Question 8D requests the number of individuals who received shelter/housing services during the reporting period. This information is easy to provide. However, items 8. D1–3 ask for the number of times a service was provided in each subcategory. Does this mean the number of individuals who received each type of shelter/housing or the number of bed nights?**

For items 8. D1–3, shelters may report bed nights as the number of times each service was provided.

- 42. We perform nonmedical child forensic exams. How should we report this service in the system?**

Because forensic exams deal with evidence that may be utilized in a legal case, you can report these services under the criminal/civil category and use items E8, E9, or E10.

- 43. Should a single letter with information about criminal justice process, victims’ rights, and referrals be counted once for each of those three subcategories?**

Yes.

- 44. Question 6 mentions “assistance with compensation.” Does this mean assistance on filing a specific application, or providing victims with information about the compensation program (e.g., brochures, applications), or both? Our organization does not require anyone to complete an application until they are ready to do so.**

OVC wants to know the number of clients your organization assisted with completing a compensation application. Count the number of people who received any level of assistance with completing a victim compensation application during the reporting period, even if the application was not submitted. Simply providing a person with an application does NOT qualify as assistance.

VIII. Subgrantee Annual Narrative Questions

- 45. Are there going to be questions that the state grantees need to answer annually, in addition to questions for the subgrantees?**

The questions in the existing Subgrantee Data Report include narrative information that is frequently provided by subgrantees, including anecdotes. Yes, there is a Grantee Report that state grantees must answer. The final version is available on the PMT website. The purpose of the Grantee Report is to collect qualitative data from grantees on VOCA-funded Victim Assistance activities in their state over the past year. Grantees may choose to contact their subgrantees for information that might help them complete this report. However, the ultimate purpose of the Grantee Report is to provide a state-level perspective.

- 46. Question 10 mentions “services that were unmet because of capacity issues.” Does “capacity” refer to items our funding covers or to our ability as an agency to handle the situations presented? For example, if we were so busy that no advocates were available to take the client. If it does refer to funding, would we still list this as “Yes,” even if we refer them to a place that does cover their situation under their funding?**

OVC’s intent in inquiring about organizational capacity is to understand the challenges that organizations funded under the VOCA Assistance program are confronted with in providing services to victims. These issues may be related to technology, staff, staff training, professional development, funding, and/or other resources. In other words, what challenges did your organization face during the reporting period that made it difficult to achieve its mission effectively and efficiently? Your State Administrator may be able to provide you with more specific guidance on the information that subgrantee organizations in your state are expected to report for this question.

- 47. In regards to Questions 11–13 regarding surveys of clients, should the agency be surveying only VOCA victims or VOCA and non-VOCA victims as well?**

Agencies may choose to survey both VOCA and non-VOCA victims in order to get the best response possible for their services. However, in the PMT, data should be reported only on activities funded with VOCA Victim Assistance dollars plus match funding. If an agency surveys both VOCA and non-VOCA victims, then the agency should prorate Questions 12 and 13, the number of surveys distributed and completed, to reflect the portion of victims served by VOCA plus match funds. For example, if an agency served a total of 400 victims, but only considers 50 percent of those victims to be supported by their VOCA program (and thus reports data on 200 victims in the Subgrantee Data Report), then the agency should report 50 percent of all surveys distributed and 50 percent of all surveys completed in Questions 12 and 13.

- 48. Will OVC be providing a client feedback survey form for subgrantees to use, or should providers create a form of our own?**

OVC is looking into the development of a client feedback survey that can be used by any victim service agency. At the current time, however, agencies can use any available client feedback form, including forms they create themselves.

IX. Additional Resources and Guidance

- 49. Where can subgrantees receive additional training and support?**

For training and guidance on state policies, and support on data collection and reporting processes, subgrantees should contact the SAA (i.e., the grantee). States have primary responsibility for providing training and support to their subgrantees. Grantees and subgrantees can access Victim Assistance training recordings and materials in the Need Help section of the OVC PMT. OVC trainings and materials cover the SAR, performance measures, and the PMT system. It is up to the SAAs to provide subgrantees with any state-specific guidance regarding data collection and reporting processes. All trainings are recorded and are available within the PMT to review.

The PMT Helpdesk is always available for individual assistance with the performance measures and the PMT. You can contact the OVC Helpdesk via email at ovcpmt@usdoj.gov or call the toll-free number at 1–844–884–2503.

50. What should I do if there is a technical issue that is preventing me from completing my reporting?

For technical issues, the OVC PMT Helpdesk is available from 8:30 a.m.– 5:00 p.m. e.t. on weekdays, except federal holidays. Subgrantees can contact the Helpdesk directly with technical glitches and are not required to go directly to their SAA first. The Helpdesk will investigate the issue and coordinate to resolve any system issues. If the issue is widespread amongst grantees and subgrantees, OVC will send an email to all grantees acknowledging the issue and indicating next steps for its resolution. Users can email the OVC PMT Helpdesk at ovcpmt@usdoj.gov or call the toll-free number at 1–844– 884–2503 to report an issue.

51. How do I find my OVC Victim Justice Program Specialist?

VOCA Grantees: Your Victim Justice Program Specialist’s contact information is listed on the OVC website at <http://www.ovc.gov/contacts.html>. If you are a VOCA grantee and have questions about your grant, please contact your OVC Victim Justice Program Specialist directly. If you do not know your OVC Victim Justice Program Specialist, please call OVC’s general information number at 1–202– 307–5983.

VOCA Subgrantees: If you are a VOCA subgrantee, please contact your state VOCA Administrator. If you do not know your VOCA Administrator, please visit OVC’s [U.S. Resource Map of Crime Victim Services & Information](#) to obtain your VOCA Administrator’s contact information.

52. Will OVC provide any assistance to agencies in terms of data collection for the Subgrantee Data Report?

OVC offers the Subgrantee Data Tracking Template, which is an optional data collection template for subgrantees in the form of a Microsoft Excel spreadsheet. Users can download this template from the Need Help section of the OVC PMT. This resource may help subgrantees or grantees track and aggregate individual-level performance data on activities funded by VOCA plus match funds so they can more readily report the data into the PMT. Advanced users can modify this tracking tool as needed to support their own data collection needs, but there will be minimal technical support available for resolving any problems that may result from tool modification.

53. Some of my state’s subgrantees are still working to upgrade their data collection systems and processes to report on the performance measures in PMT. Are there any resources to help them with these upgrades?

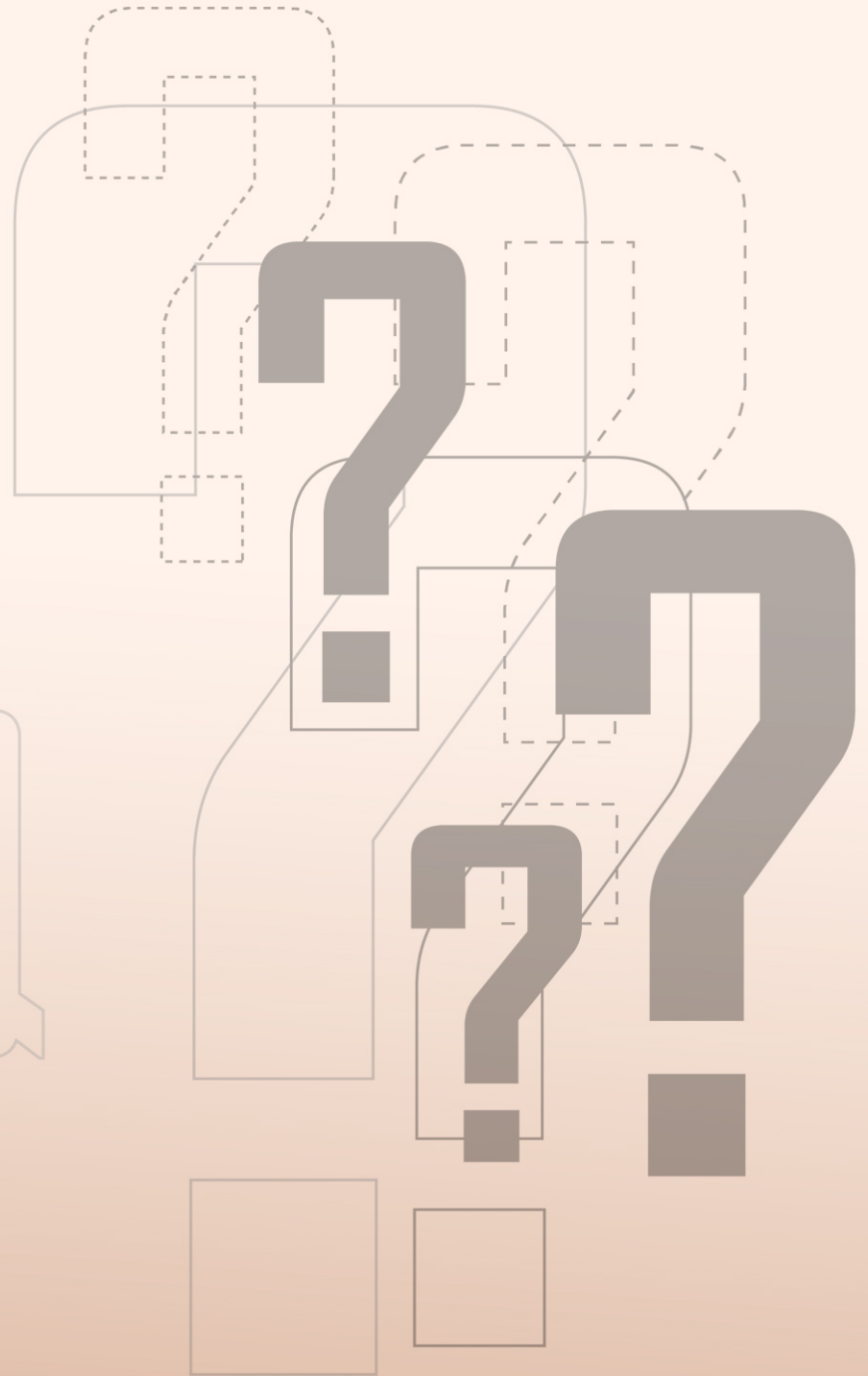
Grantees should contact their Program Specialist at OVC to inquire about additional resources to help with data collection and reporting processes, tools, or costs. Subgrantees should contact their state VOCA Administrator.



JUSTICE FOR VICTIMS
JUSTICE FOR ALL

Office for Victims of Crime
OVC

FAQ



Performance Measurement Tool (PMT) System Operation

Frequently Asked Questions

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Introduction

The purpose of this document is to assist grantees and subgrantees in reporting accurate data through the Performance Measurement Tool (PMT).

We encourage individuals to review this document before entering data into the PMT. The accuracy and timeliness of reporting data is extremely important. Data reported by grantees allows the Office for Victims of Crime (OVC) to demonstrate the value and specific benefits of the program to government agencies, the victim services field, the general public, and other stakeholders.

Accessing Your PMT Account

1. *How do I access or log in to my PMT account?*

You can access your PMT account at <https://ojpsso.ojp.gov>. Once on this website, please type in your unique username (your email address) and password to log in to the system. If you do not know your unique username and password, contact the OVC PMT Helpdesk at ovcpmt@usdoj.gov or call the toll free number at 1-844-884-2503.

2. *Who in my organization will receive an invitation to access the PMT?*

The primary grant point of contact (POC) listed in the Grant Management System (GMS) when your organization is added to PMT, will receive an invitation via email from the PMT with instructions on how to create a new user account. This user will then be associated with your organization in the system. The primary grant POC can then add additional users from the organization to gain access to your organization's account.

3. *When will I receive my invitation to access the PMT?*

New grantees who are required to report in the PMT are added to the system on a quarterly basis. You will receive your email invitation to access the PMT when the system has been updated with your contact information. Because the invitation is an automatically generated system email, be sure to check your spam/junk folder in the event your email system doesn't recognize the email. If a report submission period is approaching and you have not received an invitation to access the PMT, please contact the OVC PMT Helpdesk at ovcpmt@usdoj.gov or call the toll free number at 1-844-884-2503.

4. *How can I be added as a user to the PMT?*

If you are the grant POC (as listed in GMS), you will automatically be added as a user to PMT and be sent an invitation to access the PMT (see Questions 2 and 3 of this document). If you are not the grant POC but will be using the PMT to enter or review data, then you should contact your organization's grant POC and request to be added as a user in the system.

5. *How does the organization's POC add a user to the PMT?*

Below are the steps that the organizational grant POC would follow to add a user to the PMT. For additional detail and screenshots, please refer to your grant program's user guide, which can be found on the Need Help page of the PMT.

- Go to the Administration tab in the PMT
- Select the User Management page in the drop-down menu
- Select the Add a New User button
- Input the user's first and last names, email address, and phone number.

The PMT will then send an email to this individual with directions on completing their user account set-up.

6. *Why is PMT giving me an error message stating that someone else is logged into my organization's account and preventing me from accessing the data entry pages?*

To manage multiple users within the same organizational account and ensure data quality, the PMT only allows one user to work in the data entry page at a time. If you receive this message, then someone else within your organization's account is using the system to enter data on the grant and you will need to wait for that user to exit the data entry page before you can log in. When you are entering data, and are ready to end your session, select the Exit Data Entry button at the bottom of the data entry page or the Logout button to exit and to allow others within your account access the grant.

Resetting Your Password

7. *How can I reset my password?*

You will be prompted to reset your password for security purposes. To reset your password, please follow the steps below:

- Enter your username or email address on the login page
- Leave the Password field blank
- Select Forgot Password
- Enter and submit the answer to your security challenge questions
- If this answer is correct, the PMT will send you an email with a link to create a new password.

8. *What are the password requirements?*

Your password must contain the each of the following:

- At least 12 characters
- Upper- and lowercase letters
- One numeral character
- One special character (e.g., !, @, \$).

PMT Pages

9. *How can I change the information on my Profile page if it is incorrect?*

The PMT pulls grantee organization and grant information from the GMS. Therefore, you must update your information in the GMS by submitting a Grants Adjustment Notice (GAN), and notifying the PMT Helpdesk and your grant specialist. The PMT POC information is updated quarterly from GMS.

10. What are the features of the Review page?

The Review page displays all the questions, answers, and alerts/errors (e.g., missing required values) for the reporting period. A print option is also available on the Review page which allows you to save a PDF copy of the information before certifying or marking the data complete.

11. How can I update locked reports from a previous reporting period?

After you mark data entry complete for a reporting period, the ability to enter and edit data will be locked. If you need to make changes **during** a data submission period, select Unlock on the Reports page to switch the data entry status back to In-Progress.

If you need to make changes **after** the data submission period has ended, please contact the OVC PMT Helpdesk via email at ovcpmt@usdoj.gov or call toll free 1-844-884-2503 and request that the report be unlocked. If you make any changes, please remember to mark data entry as Complete and save a new PDF to replace any previous versions saved in your files.

PMT Reporting Requirements and Timelines

12. When should I report in the PMT?

Review the reporting and submission schedule in your program's Fact Sheet, which is located on the Need Help page of the PMT. This table will provide you with the dates of the reporting period, the submission period, and whether should you report in the PMT or the Grants Management System (GMS). The table also outlines if performance measures or narrative questions are due in each system.

13. How do I complete my reporting in PMT?

You can complete your reporting by marking your data entry as complete on the Review page. Check the box next to the Save button, and then click Save which will lock your data entry. You will be unable to complete a report if any of the required fields are left blank.

14. How should I submit reports in GMS?

In order to submit your report, save a PDF copy of the report from the OVC PMT to your computer, then upload it as an attachment to your progress report in GMS.

15. Will I receive a notification from OVC detailing when I need to report?

Yes, the person indicated as the grant's POC for your organization, and any additional contacts entered in the PMT, will receive an email when the submission period opens and reminder emails prior to the final submission deadline. Grantees who do not submit data in the PMT will receive a past due notice from the OVC PMT system. VOCA Victim Assistance subgrantees may be contacted by their State Administering Agency (SAA) with reporting reminder notices

16. *What if I do not think I will be able to report my performance metric data in the PMT by the reporting deadline?*

Grantees should contact their grant specialist to alert them of the situation that is preventing them from reporting and discuss your specific circumstances. VOCA Victim Assistance subgrantees should contact their State Administering Agency (SAA) to alert them to the issue.

17. *Can I save my data once I have started reporting and then finish reporting later?*

Yes, you can return to your data once you've started reporting. You must click the Save and Continue button at the bottom of the page to save the work you have completed. When you log back in the system, you can resume entering data from where you last saved your work.

Due to security rules and regulations, your session will time out in the PMT after 30 minutes of inactivity. To avoid having to reenter data, please click the Save button before leaving the system unattended or when you finished entering in data.

18. *Will the PMT send me a confirmation email that my Performance Data Reports are up to date and complete?*

No, the PMT will not send you a confirmation email. However, you can view the status of your Performance Data Reports and data entry on the Reports page in the PMT to determine the status of your report (not started, in progress, or complete).

Additional Resources and Guidance

19. *Where can I get a copy of training materials for reporting performance measures?*

You can find the performance measure questionnaire, frequently asked questions (FAQ) document, PMT user guide, reporting fact sheets, and webinar recordings for your grant program on the Need Help page in the PMT. Log in to PMT at <https://ojpsso.ojp.gov>.

20. *What should I do if there is a technical issue that is preventing me from reporting or if I am getting a system error message?*

For technical issues, the OVC PMT Helpdesk is available from 8:30 a.m.– 5:30 p.m. ET on weekdays, except federal holidays. The helpdesk will investigate the issue and coordinate to resolve any system issues. If the issue is widespread amongst grantees and subgrantees, OVC will send an email to all grantees acknowledging the issue and indicating next steps for its resolution.

Users can email the OVC PMT Helpdesk at ovcpmt@usdoj.gov or call the toll free number at 1-844-884-2503 to report an issue.

APPENDIX G

OTHER HELPFUL INFORMATION



Crime & Victimization in the United States

The FBI's Uniform Crime Reporting (UCR) Program and the Bureau of Justice Statistics' National Crime Victimization Survey (NCVS) are the two largest and most comprehensive resources for information relating to crime and victimization in the United States. While the UCR and the NCVS use different methodologies and serve distinct purposes, these resources complement each other in a number of ways. The most important distinction between the two is that the **UCR reports information regarding crimes known to law enforcement** agencies (but cannot reflect unreported crime), while the **NCVS, which measures reported and unreported victimizations**, helps researchers identify hidden victimizations that the UCR is unable to track—"the dark figure of crime." Together the UCR and the NCVS provide researchers, policymakers, and the public with a general understanding regarding the state of crime and victimization in the United States.

UNIFORM CRIME REPORT

The Uniform Crime Report (UCR), launched in 1929, collects information reported to **law enforcement agencies** on the following crimes: murder and non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, and human trafficking. Law enforcement agencies also report **arrest data for 22 additional crime categories** (e.g., forgery and counterfeiting, drug abuse violations, disorderly conduct, vagrancy). Each year, the FBI issues a report on the main UCR findings, titled *Crime in the United States*, as well as several other reports (e.g., *Hate Crimes 2015* and *Law Enforcement Officers Killed and Assaulted, 2015*). The UCR presents crime counts for the entire nation, as well as for regions, states, counties, cities, towns, tribal law enforcement, and colleges and universities. **Its primary purpose is to provide reliable criminal justice statistics for law enforcement administration and management.**

UCR CRIMES

- murder/non-negligent manslaughter
- rape
- robbery
- aggravated assault
- burglary
- larceny-theft
- motor vehicle theft
- arson
- human trafficking

NATIONAL CRIME VICTIMIZATION SURVEY

The methodology for the National Crime Victimization Survey (NCVS), which began in 1973, differs from that of the UCR. The NCVS is based on a nationally **representative sample of U.S. households**. Household members **age 12 and older** are interviewed by the U.S. Census Bureau every six months for a three-year period. The NCVS collects information on the frequency and nature of: rape, sexual assault, robbery, aggravated and simple assault, household burglary, theft, and motor vehicle theft. **It does not measure:** homicide, commercial crimes, crimes against residents under 12 years old, or crimes against individuals in other residential settings (e.g., nursing homes, prisons) and may exclude transient populations and people who are homeless.

NCVS CRIMES

- rape
- sexual assault
- robbery
- aggravated assault
- simple assault
- household burglary
- theft
- motor vehicle theft

The NCVS gathers information on crimes both **reported and not reported** to the police, estimates the proportion of crimes reported to law enforcement, and describes the reasons given by victims for reporting or not reporting. The NCVS also includes questions about **victims' experiences** with the criminal justice system, possible substance use by offenders, and whether victims received services following their victimization. The NCVS collects **demographic information** about both victims and offenders (e.g., age, sex, race, Hispanic origin, victim-offender relationship), as well as information about the crimes (including time and place of occurrence, use of weapons, nature of injury, and economic impact). The NCVS also collects periodic supplements on specific crime issues such as stalking or school crime.

THE FUTURE OF CRIME AND VICTIMIZATION RESEARCH

While the UCR and the NCVS are important resources for researchers, policymakers, and the public, they cannot address all crimes or victimizations. And though national collection efforts continue to grow, **gaps still exist, particularly for emerging crimes**, such as elder victimization, human trafficking, stalking, and financial, corporate, environmental, and mass casualty crimes.

In 2015, the **UCR Program released a plan to improve and modernize their data collection**. Two key aspects of this plan include: 3

UCR IMPROVEMENTS

1. To continue the transition from the Summary Reporting System (SRS) (the current UCR method of data collection) to the **National Incident-Based Reporting System** (NIBRS), which has many implications for enhanced understanding on issues pertinent to victims and service providers, by 2021.
2. To provide researchers, providers, policymakers, and the general public with information regarding the **use of force or the discharge of a firearm by law enforcement officers**.

The NCVS is also currently undergoing a redesign. This multi-year effort to fill long-standing gaps in information includes:

NCVS ENHANCEMENTS

1. **Providing subnational estimates:** While the original purpose of the NCVS was to provide estimates of victimization at the national level, the NCVS subnational program will generate victimization estimates at the state and local level for the 22 largest states.
2. **Modernizing socio-demographic information** to reflect victimization by sexual orientation, gender identity, veteran status, and citizenship. The update also includes expanding disability status questions to all respondents, not just those self-reporting victimization.
3. **Expanding the information collected** about formal and informal help-seeking behavior, issues related to fear of crime, perceptions of neighborhood disorder and satisfaction with police, and the consequences of victimization.
4. **Expanding the type of crimes collected** in the NCVS, including fraud.

The Bureau of Justice Statistics, in partnership with the Office for Victims of Crime, has also launched the new **Victim Services Statistical Research Program** (VSSRP), aiming to build a critical body of knowledge for the field by collecting and analyzing data from victims and the diverse entities that serve them nationwide. In addition to data collected from victims as described above, data collected directly from entities that serve victims is important for understanding whether providers have the capacity to meet the needs of all victims seeking services. BJS's VSSRP includes a number of initiatives to collect information from victim service providers, including the **National Census of Victim Service Providers** (NCVSP) fielded for the first time in 2017, and the **National Survey of Victim Service Providers** (NSVSP)—both designed to help define and enhance understanding of all types of providers, from community and justice-system based, to campus, hospitals, corrections, legal aid and others, all playing a critical role in serving victims of crime. The census data will, for the first time, provide quantitative information about how many providers exist, organizational structure, types of services offered, crime types served, staffing considerations, and funding sources.

Other efforts focus on particular types of service providers, such as the collaboration between BJS and the Center for Disease Control and Prevention (CDC)'s National Center for Health Statistics to develop a new **National Survey of Hospital Victim Services** to better understand the range of hospital-based and affiliated services available for crime victims in health settings. BJS has also launched pilot programs to examine the feasibility of collecting information related to victim services in homeless shelters, and to better understand the prevalence of victimization and service needs in correctional settings beginning with jails. BJS has also added or is in the development phase of adding questions about victim services to existing BJS surveys, including surveys of law enforcement agencies, prosecutors' offices, and corrections agencies. **Together, all of these efforts will offer the most comprehensive picture of victim service provision to date.**

RESOURCES

FBI, "Uniform Crime Reporting," (U.S. Department of Justice), <https://ucr.fbi.gov>

Bureau of Justice Statistics, "National Crime Victimization Survey," (U.S. Department of Justice), <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=245>

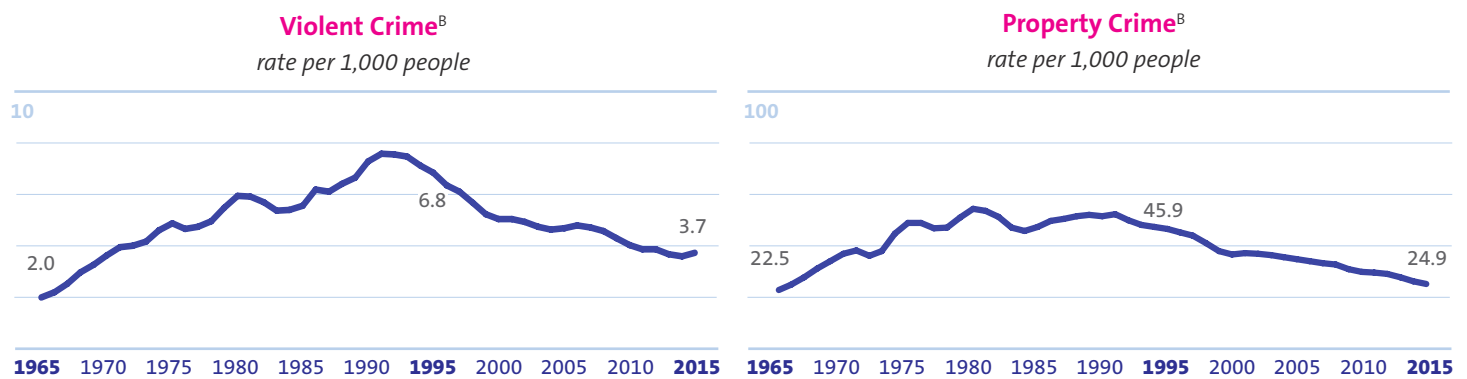




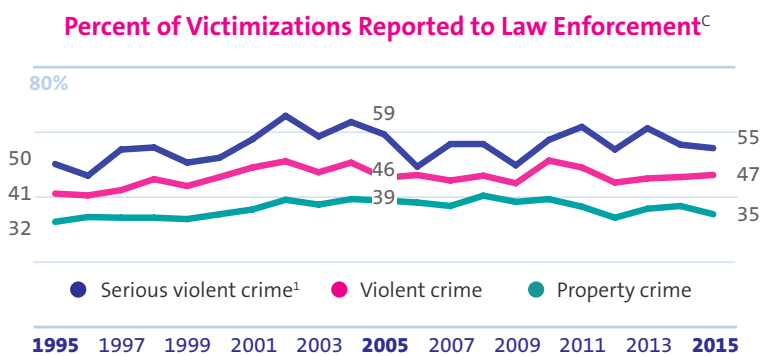
Crime Trends

Criminal victimization trends provide useful insights by positioning annual data within a broader context. To estimate these trends at the national level, researchers rely primarily on two sources of crime data: the Federal Bureau of Investigation's **Uniform Crime Reporting Program** (UCR) and the Bureau of Justice Statistics's **National Crime Victimization Survey** (NCVS). Both the UCR and the NCVS have been collected for decades. While their methodologies and findings differ in some key ways, each provides critical information necessary to understand crime and victimization in the United States. *For more information, see the [Crime and Victimization in the United States](#) fact sheet in this series.*

While **the rate of criminal victimization has decreased dramatically over the past 50 years**, many in the general public believe crime rates have increased. According to Gallup polls conducted since the mid-to-late 1990s, more than half of Americans have consistently reported that they believe there is more crime in the United States today than there was a year ago.^A This misconception can be attributed to a variety of factors, but importantly, it demonstrates the necessity of monitoring crime and victimization trends long-term, and effectively communicating these trends to key stakeholders and the public at large. Crime and victimization trends provide researchers, victim service providers, policymakers, and the public with the information they need to accurately interpret, understand, and act on issues related to criminal victimization.



Without the context that long-term observation provides, year-to-year changes in crime and victimization numbers often seem more significant than they really are. Because changes in the prevalence and extent of victimization are always evaluated within the context of time, changing that context—i.e., selecting a different subset of years—may influence whether criminal victimization appears to be increasing or decreasing. For example, **violent crime is slightly higher now than it was in 1965 but is also significantly lower than it was in 1991.**^B Overall, other than a few localized exceptions demanding targeted attention, violent crime rates are lower today than at any point over the past four decades.



DID YOU KNOW?

The NCVS asks respondents if they reported victimizations to police:

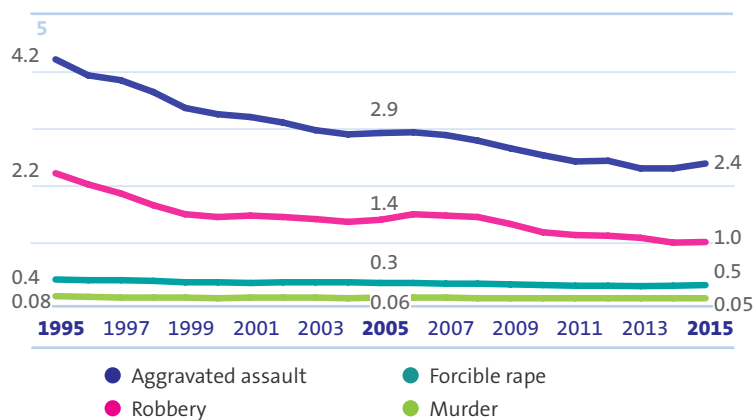
In 2015, an estimated **55% of serious violent victimizations were reported** to the authorities, compared to 47% of all violent victimizations and 35% of all property victimizations.^C

UCR VS. NCVS CRIME VICTIMIZATION TRENDS

The UCR for 2015 showed a slight increase in serious violent crimes compared to 2014.¹ In 2015, the rate of aggravated assault was 2 per 1,000 people, while the rate of robbery was 1 per 1,000 people. **Less than 1 person in every 1,000 was a victim of forcible rape or murder.**²

UCR Serious Violent Crime^{B2}

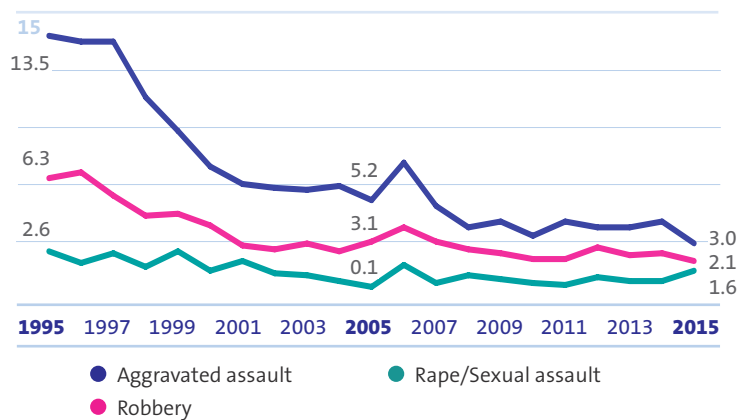
rate per 1,000 people



The NCVS did not report an increase in serious violent victimization between 2014 and 2015. Roughly 3 in every 1,000 people age 12 or older were victims of aggravated assault and 2 in 1,000 people were victims of robbery in 2015. The rape/sexual assault rate did increase slightly, from 1.1 in 2014 to 1.6 in 2015.^C

NCVS Violent Crime^C

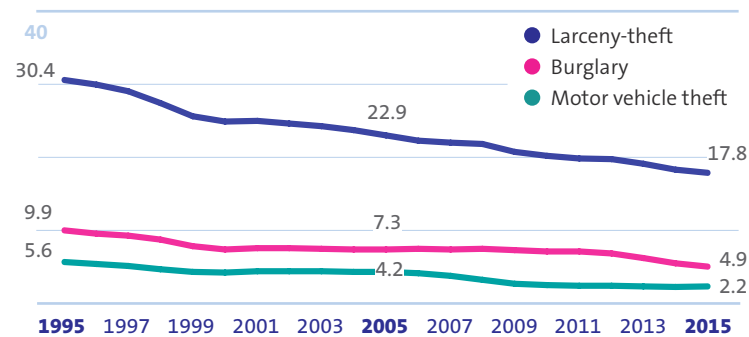
rate per 1,000 people



The UCR and the NCVS both reported a **downward trend in property crime** in 2015. However, the NCVS consistently reports higher levels of larceny-theft, burglary, and motor vehicle theft—which highlights an important distinction between the UCR and the NCVS: the UCR aggregates property victimizations reported by participating law enforcement agencies, while the NCVS collects information on property from a representative sample of U.S. households. As a result, the two figures cannot be compared directly. Furthermore, because the UCR is measured by the number of incidents reported to law enforcement, it also includes property victimizations occurring at commercial businesses.

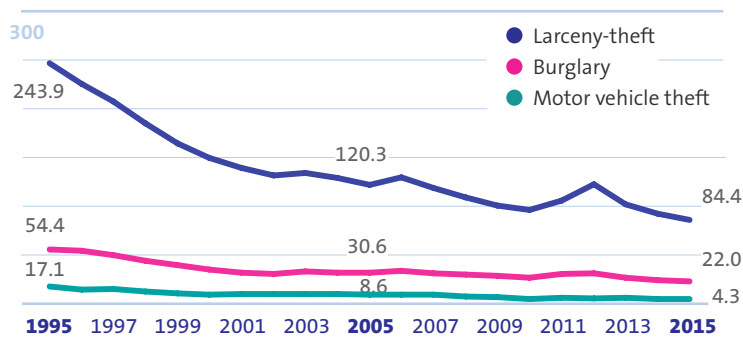
UCR Property Crime^B

rate per 1,000 people



NCVS Property Crime^C

rate per 1,000 households



NOTES

- Violent victimization encompasses rape, sexual assault, robbery, aggravated assault, and simple assault. Serious violent victimization excludes simple assault.
- Graph uses UCR legacy definition of "forcible rape": the carnal knowledge of a female forcibly and against her will.

SOURCES

A Justin McCarthy, "More Americans Say Crime Is Rising in U.S.," (Gallup Poll, 2015), <http://www.gallup.com/poll/186308/americans-say-crime-rising.aspx>

B FBI, *Crime in the United States, 1995 - 2015*, (U.S. Department of Justice), <https://www.ucrdatatool.gov/Search/State/RunCrimeStateby-State.cfm>; Table 1, <https://ucr.fbi.gov/ucr-publications>

C Bureau of Justice Statistics, *National Crime Victimization Survey, Concatenated File, 1992-2015*, (U.S. Department of Justice)

