

RESOLUTION NO. 2019- 06



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

A RESOLUTION BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION UNDER THE VIOLENCE AGAINST WOMEN JUSTICE & TRAINING PROGRAM THROUGH THE OFFICE OF THE GOVERNOR IN THE AMOUNT OF \$94,025.99, TO SUPPORT THE SALARY OF A PROTECTIVE ORDER PROSECUTOR.

WHEREAS, the Commissioners Court of Comal County finds it in the best interest of the citizen's of Comal County, Texas, that the Protective Order Prosecutor Project be operated for the 2020 Grant Year through the Office of the Criminal District Attorney; and

WHEREAS, the Commissioners Court of Comal County understands that if awarded, the project period of performance will be from September 1, 2019 to August 31, 2020; and

WHEREAS, the Commissioners Court of Comal County understands that of the total project cost of \$94,025.99, only 71 percent, \$66,758.45, will be reimbursed; and

WHEREAS, the Commissioners Court of Comal County agrees to provide a 29 percent match in the amount of \$27,267.54, for the said project as required by the Violence Against Women Justice & Training Program grant application; and

WHEREAS, the Commissioners Court of Comal County agrees that in the event of loss or misuse of the Office of the Governor funds, the Commissioners Court of Comal County assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the Commissioners Court of Comal County designates County Judge, Sherman Krause, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE BE IT RESOLVED that the Commissioners Court of Comal County approves submission of the grant application for the FY20 Violence Against Women Justice & Training Program to the Office of the Governor.

ADOPTED BY THE UNANIMOUS VOTE OF THE COMAL COUNTY COMMISSIONERS COURT on this the 21st of February, 2019.

SHERMAN KRAUSE, COUNTY JUDGE

DONNA ECCLESTON
COUNTY COMMISSIONER, PCT. 1

SCOTT HAAG
COUNTY COMMISSIONER, PCT. 2

KEVIN WEBB
COUNTY COMMISSIONER, PCT. 3

JEN CROWNOVER
COUNTY COMMISSIONER, PCT. 4

ATTEST: _____
BOBBIE KOEPP, COUNTY CLERK

Agency Name: Comal County

Grant/App: 3273603 **Start Date:** 9/1/2019 **End Date:** 8/31/2020

Project Title: Protective Order Prosecutor

Status: Application Pending Submission

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17460017753004

Application Eligibility Certify:

Created on: 1/9/2019 10:14:21 AM By: Michele Valadez

Profile Information

Applicant Agency Name: Comal County

Project Title: Protective Order Prosecutor

Division or Unit to Administer the Project: Criminal District Attorney

Address Line 1: 150 N. Seguin Ave., Ste 307

Address Line 2:

City/State/Zip: New Braunfels Texas 78130-5161

Start Date: 9/1/2019

End Date: 8/31/2020

Regional Council of Governments(COG) within the Project's Impact Area: Alamo Area Council of Governments

Headquarter County: Comal

Counties within Project's Impact Area: Comal

Grant Officials:

Authorized Official

Name: Sherman Krause

Email: krause@co.comal.tx.us

Address 1: 150 N. Seguin

Address 1:

City: New Braunfels, Texas 78130

Phone: 830-221-1100 Other Phone:

Fax:

Title: The Honorable

Salutation: Judge

Position: County Judge

Project Director

Name: Tiffany Leal

Email: dattcc@co.comal.tx.us

Address 1: 150 N. Seguin Ave., Ste. 307

Address 1:

City: New Braunfels, Texas 78130

Phone: 830-221-1317 Other Phone: 830-221-1300

Fax: 830-608-2008

Title: Ms.

Salutation: Ms.

Position: Chief Civil Prosecutor

Financial Official

Name: Michele Valadez
Email: valadm@co.comal.tx.us
Address 1: 150 N. Seguin
Address 1: Suite 201
City: New Braunfels, Texas 78130
Phone: 830-221-1212 Other Phone:
Fax: 830-620-5592
Title: Ms.
Salutation: Ms.
Position: Grants Administrator

Grant Writer

Name: Michele Valadez
Email: valadm@co.comal.tx.us
Address 1: 150 N. Seguin
Address 1: Suite 201
City: New Braunfels, Texas 78130
Phone: 830-221-1212 Other Phone:
Fax: 830-620-5592
Title: Ms.
Salutation: Ms.
Position: Grants Administrator

Grant Vendor Information

Organization Type: County
Organization Option: applying to provide services to all others
Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17460017753004
Data Universal Numbering System (DUNS): 098824758

Narrative Information

Introduction

The purpose of this funding is to solicit applications for projects that promote a coordinated, multi-disciplinary approach to improve the justice system's response to violent crimes against women, including domestic violence, sexual assault, dating violence, and stalking.

Please read the funding announcement for program rules and application guides, available on the [eGrants Calendar](#) page. Additionally, you should review the *Guide to Grants* available at [CJD's resources webpage](#) for information and guidance related to the management and use of grant funds.

Use the space provided below to describe your project. For help with your narrative, see CJD's [Developing a Good Project Narrative Guide](#).

Note: Do not upload attachments with further information unless specifically instructed to do so.

Program-Specific Questions

Culturally Competent Victim Restoration

Victim service providers must have the ability to blend cultural knowledge and sensitivity with victim restoration skills for a more effective and culturally appropriate recovery process. Cultural competency occurs when: (1) cultural knowledge, awareness and sensitivity are integrated into action and policy; (2) the service is relevant to the needs of the community and provided by trained staff, board members, and management; and (3) an advocate or organization recognizes each client is different with different needs, feelings, ideas and barriers.

Provide information in this section regarding how your organization is culturally competent when providing services to victims.

Comal County Criminal District Attorney's Office has long been committed to the provision of culturally relevant, victim-centered services for victims of violence. Prosecutors and staff at the CDA's Office are trained to recognize the needs of the victims and are sensitive to the fact that those needs may be different depending of cultural

diversity. In dealing with victims of crimes that are inherently personal by nature, it is extremely important for our Prosecutors to recognize that every victim processes feelings differently and what may be comforting to one, may be offensive to another. Our Prosecutors work hard to ensure that they get to know victims on a personal level so as to better understand what our victims needs are on a case-by-case basis. The CDA's Office continues to train its staff, including Victims Assistance Coordinators and Prosecutors, on cultural competency.

Culturally Specific and Underserved Populations

Following are relevant definitions needed to answer this question.

- Underserved populations means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.
- Culturally specific means the program is primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).
- Racial and ethnic minority group means American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics.
- Hispanic means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country.

Does your program have a primary focus on serving a culturally specific population? (The organization must do more than merely provide services to an underserved population or culturally specific group; rather, the organization's primary focus must be on providing culturally competent services designed to meet the specific needs of the target population in order to justify a YES response in the section below.)

- Yes
- No

If you answered 'YES' above, you must explain in the box below how your organization's program is specifically designed to focus on and meet the needs of culturally specific populations. If this item does not apply enter 'N/A'.

N/A

Victim Referral Process

Describe how victims are referred to your agency. For local units of government, please also explain your protocols for victim intake and referral.

The primary source for victim referrals for State protective orders to the Criminal District Attorney's Office is the Crisis Center of Comal County. However, victims are also often referred by law enforcement, local attorneys, and word of mouth. Prior to the implementation of the grant award, victims referred to our office were first sent to the crisis center where they met with a victim advocate to assist with completion of the application for protective order. The victim then would have to come to the CDA's Office wherein he or she presented all of the paperwork for processing. Upon review of the paperwork and after the Prosecutor met with the victim, the Prosecutor determined whether the case meets the statutory requirement for a protective order and makes a decision on whether to file the case. While the process is essentially the same, this project added a dedicated Protective Order Prosecutor whose primary job is to work with protective order victims. This allows for victims to work with one prosecutor throughout the entire protective order process.

State Priorities

Provide a brief explanation regarding the proposed project's relevance to any or all of the following state priorities. If none of these items apply enter 'N/A'

Improving the criminal justice system response.

Prosecution of cases can take years, and victims often feel left in limbo during the pendency of the case. In domestic violence, stalking, sexual assault and dating violence cases, the victims are often fearful of the perpetrator and in some cases need assistance in staying away from the perpetrator. Providing early intervention through victim services, such as protective orders, helps with outreach to victims earlier in the process and gives them protection and peace of mind. Having a dedicated Protective Order Prosecutor provides a resource for law enforcement, the crisis center, and other community service providers, which delivers a better and more efficient response for our victims, thus providing them justice, meeting their needs so they can focus on recovery, and healing.

Improve court services regarding domestic violence, sexual assault, dating violence, and stalking.

Domestic violence, sexual assault, dating violence, and stalking are the key areas that protective orders seek to address. Prior to the implementation of the project, the CDA's Office had 4 misdemeanor prosecutors, who each had a criminal caseload of approximately 900 cases reviewed (600 filed) per year. The misdemeanor division reviewed over 3,590 cases and filed 2,382 cases in 2016. In addition to that caseload, these 4 prosecutors handled protective order cases. However, that system did not allow much time for these prosecutors to meet with individual victims and provide additional victims services. Having one dedicated prosecutor handling all protective order cases offers consistency in the review process and how these cases are handled. Further, it mitigates any potential conflicts that the misdemeanor prosecutors have when the victim is also a defendant in an unrelated or related case. The prosecutor dedicated to protective orders has improved court services by helping victims at each stage of the process and providing consistency throughout the case. Additionally, the Protective Order Prosecutor is available to spend more one-on-one time with victims to help the victim to understand the court process and prepare them for each step. While things like explaining why a reset of a court date may occur may seem small, to a victim this is extremely important and can be overwhelming. Also, helping to prepare a victim who may be facing the perpetrator for the first time since they sought legal help is imperative. Having a dedicated Protect Order Prosecutor ensures a smooth transition from the civil protective order case to the criminal justice system in cases involving domestic violence, sexual assault, dating violence and stalking.

Strengthen victim restoration.

Providing protective orders often gives victims a sense of control and strength that they may not have felt for years. This is a crucial step in restoring a victim's self-worth and confidence, which enables them to stay away from the perpetrator, helping to break the cycle of violence. Protective orders provide a legal avenue for victims to maintain their homes and vehicles in safety without fear of the perpetrator. These benefits coupled with the Prosecutor working early with the victim, often before a criminal case is received by the DA's Office, to begin the processes for prosecution of the offender will strengthen victim restoration in our county.

Increase collaboration and communications across all levels of government and among all victims services.

The Protective Order Prosecutor position helps increase collaboration and communication by providing a dedicated individual to assist law enforcement and the crisis center with questions they may have when dealing with these types of cases. Also, getting the victims of family violence, sexual assault, stalking and dating violence, the protection they need through protective orders requires collaboration by many agencies including the Crisis Center who initially meets with the victim, the court system who processes the case, divorce/custody attorneys who may be assisting the victim with separate legal matters, law enforcement who may encounter the victim on the initial scene or may arrest the offenders if the protective order is violated. Having a dedicated prosecutor who understands the process from start to finish and who interacts on behalf of the State and the victim with these agencies and entities provides for a more streamlined process.

Sustainment

How many additional years, beyond this request, do you plan to request continuation funding?

0

1) If you entered three (3) years or fewer, provide a brief explanation of your sustainment plan (if you entered more than three years or the project will not be sustained, enter 'N/A'):

After this grant year, the Criminal District Attorney will seek to have this project fully funded by the Commissioners Court to sustain the project thereafter. Due to the rapid growth of Comal County, the CDA's Office and other departments in the county must be cognizant of the need for more staffing across the county. Due to this rapid increase, Commissioners Court has been unable to fulfill all requests for new personnel during each budget cycle. The CDA's Office believes that providing a year of this Program through grant funding will provide Commissioner Court the time to see its effectiveness and need, and to plan for the future budget increase to maintain funding.

2) If you entered more than three (3) years, explain the longer term sustainment plan or why other resources cannot be used to continue this project and why a sustainment strategy is not possible (if you entered three years or fewer or the project will not be sustained, enter 'N/A'):

N/A

Applicants Performing Sexual Assault Forensic Exams

If an applicant is currently performing sexual assault forensic exams as any part of their current operations, provide the following information regarding the 12 months prior to submitting the application (enter "0" for all fields if the applicant does not currently perform sexual assault forensic exams).

Number of victims referred for an exam that did not complete one:

0

Number of report exams performed:

0

Number of non-report exams performed:

0

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Forensic Medical Examination Payments

Health care facilities shall conduct a forensic medical examination of a victim of an alleged sexual assault if the victim arrived at the facility within 96 hours after the assault occurred and the victim consents to the examination. The victim is not required to participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination, nor pay for the forensic examination or the evidence collection kit. The evidence collection portion of the exam is to be paid by law enforcement per state law. Crime Victim Compensation funds may be used to pay for the medical portion of the exam unless the victim of sexual assault is required to seek reimbursement for the examination from their insurance carrier. If a health care facility does not provide diagnosis or treatment services for sexual assault victims, the facility is required to refer the victim to a facility that provides those services.

Confidentiality and Privacy

Applicant agrees to maintain the confidentiality of client-counselor information and research data, as required by state and federal law. Personally identifying information or individual information collected in connection with services requested, utilized, or denied may not be disclosed; or, reveal individual client information without informed, written, reasonably time-limited consent of the person about whom information is sought. If release of information is compelled by statutory or court mandate, reasonable attempts to provide notice to victims affected by the disclosure of information will be made and steps necessary to protect the privacy and safety of the persons affected by the release of information will be taken.

Activities that Compromise Victim Safety and Recovery

Applicant agrees to not engage in activities that jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions.

Polygraph Testing Prohibition

A peace officer or attorney representing the state may not require an adult or child victim of an alleged sex offense to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. In addition, the refusal of a victim to submit to a polygraph or other truth telling examination will not prevent the investigation, charging, or prosecution of an alleged sex offense or on the basis of the results of a polygraph examination.

Protection Orders

Victims applying for a protective order or their attorney may not bear the costs associated with the filing of an order of protections.

Offender Firearm Prohibition

The applicant certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 18 USC § 992(g)(8) and (g)(9).

Criminal Charges

In connection with the prosecution of any misdemeanor or felony domestic violence offense, the victim may not bear the costs associated with the filing of criminal charges against a domestic violence offender, issuance or service of a warrant, or witness subpoena.

Uniform Crime Reports

Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

National Incident-Based Reporting System

The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National

Incident-Based Reporting System (NIBRS) no later than September 1, 2019. Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to these upcoming state and federal deadlines, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Criminal Justice Division (CJD)

Criminal History Reporting

Entities receiving funds from CJD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Immigration Legal Services

CJD prioritizes funding of projects that provide a full spectrum of counseling, crisis services, and other direct victim services. CJD will not fund projects that focus primarily on immigration legal services and do not provide a significant level of other types of victim services.

Community Efforts

Applicant agrees to promote community efforts to aid crime victims. Applicants should promote, within the community, coordinated public and private efforts to aid crime victims. Coordination efforts qualify an organization to receive these funds, but are not activities that can be supported with these funds.

No Charge

Applicant agrees to provide grant-funded services at no charge to victims of crime. Applicants are also prohibited from billing Crime Victims Compensation, private insurance, Medicaid, or Medicare for services provided using VAWA funds.

Discrimination

Applicant agrees not to discriminate against victims because they disagree with the State's prosecution of the criminal case.

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

Legal Assistance for Victims (LAV) Certification

The applicant certifies that it meets the following federal statutory requirements in regards to the provision of legal advocacy:

- (1) Any person providing legal assistance through a program funded under this VAWA Program
 - (a) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault or stalking in the targeted population; or
 - (b) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A) and has completed or will complete training in connection with domestic violence, dating violence, sexual assault or stalking and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.
- (2) Any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be

developed with input from and in collaboration with a state, local, territorial, or tribal domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, State, territorial, and local law enforcement officials.

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

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

Does the applicant meet the criteria outlined above?

Yes

No

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Jennifer Tharp

Enter the Address for the Civil Rights Liaison:

150 N. Seguin Ave., Ste. 307 New Braunfels, TX 78130

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

(830) 221-1300

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the CJD Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

I certify to all of the application content & requirements.

Project Abstract :

This project will continue to provide a dedicated Prosecutor to assist victims of domestic violence, sexual assault, stalking, and dating violence when seeking a protective order. The Protective Order Prosecutor assists victims from the first moment they arrive at the District Attorney's Office meeting, one-on-one with the victims to hear their stories; helping them with the necessary paperwork; preparing all of the necessary legal documents to get them a protective order; advocating for them in court; and finding out what additional services they need (e.g., clothing, food, housing, legal services for divorce/custody) to get them the resources they need to successfully break the cycle of violence. This project will help assure that these victims receive support and legal advice at the time of crisis. Many victims come into our office days or even hours after an assault has occurred. Victim outreach at this stage is imperative to helping these victims break the cycle of violence. The Protective Order Prosecutor assists the victims through the entire process of the protective order case and assures a smooth transition to the criminal justice system when necessary.

Problem Statement :

Throughout the State of Texas, family violence takes a toll on individuals, families, communities, and public institutions, such as law enforcement, courts, hospitals, and schools. Texas has been a leader in the movement to keep families safe, but family violence continues to endanger Texas women, children, and families. Victims of family violence in Texas rely on one of the nation's largest networks of victim services to meet a myriad of both urgent and long-term needs. Making a network of this scope and reach truly effective for victims of family violence requires significant effort to establish and reinforce connections across complex systems. Survivors, advocates, and criminal and legal system partners require information tailored to their role and situation. In the face of concerted efforts to bring safety to victims of family violence and accountability to the offenders, Texas families and communities still struggle with the persistent realities of family violence and the complex and varied needs of survivors. Texas prosecutors carry significant responsibility as they work with other law enforcement officials and social service providers to bring family violence offenders to justice and protect victims and communities from harm. Prosecutors also confront unique challenges. They often interact as a primary point of contact with victims who have had no previous contact with government or nonprofit support services. Victims may be reluctant, fearful, or unwilling to participate in the criminal justice system, requiring prosecutors to operate with a nuanced understanding of the complex dynamic of family violence and to commit a range of strategies that enable safe and effective prosecution of family violence. Comal County is one of the fastest growing counties in the nation, and with this growth has seen drastic increase in cases related to domestic violence, sexual assault, stalking and dating violence. It is important that Comal County addresses domestic violence head on. One of the first steps is getting the victims of family violence, sexual assault, stalking and dating violence, the protection they need through protective orders, which then allows law enforcement to arrest offenders if it is violated. Prior to the implementation of the project, the CDA's Office had 4 misdemeanor prosecutors, who each had a criminal caseload of approximately 900 cases reviewed (600 filed) per year. The misdemeanor division reviewed over 3,590 cases and filed 2,382 cases in 2016. In addition to that caseload, these 4 prosecutors handled protective order cases. However, that system did not allow much time for these prosecutors to meet with individual victims and provide additional victims services. Having one dedicated prosecutor handling all protective order cases offers consistency in the review process and how these cases are handled. Further, it helps mitigate any potential conflicts that the misdemeanor prosecutors currently have when the victim is also a defendant in an unrelated or related case. The Protective Order Prosecutor has improved court services by helping victims at each stage of the process and providing consistency throughout the case. Additionally, the Protective Order Prosecutor is available to spend more one-on-one time with victims to help the victim to understand the court process and prepare them for each step. While things like explaining why a reset of a court date may occur may seem small, to a victim this is extremely important and can be overwhelming. Also, helping to prepare a victim who may be facing the perpetrator for the first time since they sought legal help is imperative. Having a dedicated prosecutor to protective orders helps ensure a smooth transition from the civil protective order case to the criminal justice system in cases involving domestic violence, sexual assault, dating violence and stalking.

Supporting Data :

National and statewide studies concur that over one third of Texas women have experienced violence and/or stalking at the hands of an intimate partner; reports from a variety of service providers testify to the needs present in the state. In FY 2015 state-funded family violence centers answered 183,294 hotline calls and provided services to 69,107 survivors and their families. Information collected by law enforcement agencies provides a similar picture of the scope of family violence in Texas. According to the Uniform Crime Report, Texas law enforcement agencies responded to 185,817 incidents of family violence in 2014, involving 201,051 victims. Texas Commission on Family Violence continues to analyze all fatalities of women by a male intimate partner. In 2014, 132 women in Texas lost their lives at the hands of a current or former husband or boyfriend. This is an increase of 13 from 2013, when 119 women were killed. The fatalities in 2014 reflect the lifespan, with the youngest victim at 16 and oldest victim at 90. Comal County is one of the fastest growing counties in the nation, and with this growth in population, there has also been a spike in family violence and related offenses. In Comal County, from 2014 to 2015 the Criminal District Attorney's Office saw a drastic increase in protective orders sought by victims of domestic violence, stalking, dating violence and sexual assault. In 2014 only 65 victims applied for protective order (42 filed), but in 2015 135 applications (61 filed) for protective order were processed. This increased even more in 2016 to 144 applications by victims (78 filed). In the last grant program year (September 1, 2017 to August 31, 2018) 185 applications were completed and 98 were filed. Likewise, the Criminal District Attorney's Office has seen a significant increase in crimes related to family violence and violation of protective orders. Assault Family Violence cases processed for intake by the Criminal District Attorney's Office, both felony and misdemeanor, grew from 114 (55 filed) in 2014 to 220 (94 filed) in 2015 to 375 (226 filed) in 2016. Violation of protective order cases saw a similar trend increasing from 17 (9 filed) to 30 (17 filed) to 54 (25 filed), in 2014, 2015 and 2016 respectively. These trends demonstrate the dire need for an additional prosecutor dedicated to addressing this problem head-on by assisting victims with protective orders and specializing in misdemeanor domestic violence cases.

Project Approach & Activities:

California Crime Victims Assistance Association conducted a landmark study of victim assistance centers serving female victims of domestic violence, sexual assault, and stalking which identified the service gaps in helping victims with legal issues, particularly with access to free legal representation. U.S. Department of Justice, "Vision 21 Report: Transforming Victim Services," https://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf at 14 (referencing Heather Wamken, "Violence Against Women Needs Assessment Program," (San Diego, CA: California Crime Victims Assistance Association, February 29, 2012)). Many violence against women (VAW) programs identified that the provision of civil legal assistance—including legal aid referrals and general support for non-criminal protective orders, divorce, and child custody issues—as their greatest service gap. Id. "Furthermore, surveyed advocates noted a common disparity in the legal voice that VAW victims have compared to what the primary aggressors/partners may have in civil legal matters, described as the 'upper hand' in court. Compounding the lack of legal representation for crime victims is the absence of a single point of entry through which victims of all types of crime may access services to address the wide range of legal needs they may have as the result of their victimization." Id. Comal County is seeking a grant to provide a prosecutor for 'wraparound' pro bono legal services that would help victims assert their legal rights and obtain the specialized legal assistance they need, specifically protective orders. This position would continue to aid in providing a coordinated, collaborative, and holistic legal response, which will serve victims far better through an inherent capacity to provide the type of legal assistance needed, specifically protective orders, at the beginning of the case and working with these victims through the entire civil and criminal justice process. In a separate grant, we have received continued funding for a Victims Assistance Coordinator position to build a network within the Criminal District Attorney's Office that would work with victims through the protective order process and into the criminal case. This network approach would also ensure that victims stay connected to community legal resources that can help them address their administrative, civil, and other legal issues.

Capacity & Capabilities:

Comal County Criminal District Attorney's Office has dedicated time and resources to eradicating domestic violence from our community and is committed to continuing this effort. In 2014, our office applied for and received a grant from the Governor's Office to obtain handheld video cameras to assist local law enforcement with documenting incidents of domestic violence. As part of this grant, Criminal District Attorney Jennifer Tharp has traveled around the state to train law enforcement and prosecutors on how to best use video evidence in domestic violence cases. Our office has taken a hard stance on cases involving domestic violence, and has successfully prosecuted a non-death penalty capital murder case stemming from domestic violence. It is cases like these that we hope to mitigate and help to prevent by breaking the cycle of violence. To do this, we have continually partnered with our local multidisciplinary team, including law enforcement, crisis center, children's advocacy center, and child protective services, to provide the services and response necessary to address domestic violence at the forefront. In 2018, Comal County Sheriff's Office received grant funding for a Sexual Assault/Domestic Violence Detective and a Crime Victim Liaison that are solely dedicated to violent crime cases. These additional positions have allowed more time for each violent criminal allegation to be thoroughly investigated. The continuation grant we are now seeking would continue to provide a prosecutor to begin working with the victim at the onset of the case in assisting the victim in getting a protective order. The Protective Order Prosecutor provides another essential tool in reaching victims early to help keep them safe and away from offenders.

Performance Management :

The Criminal District Attorney's Office will work closely with service providers such as the crisis center and children's advocacy center to ensure the program effectively provides the services for our victims. One of the project goals and objectives is to promote and ensure that the victims are receiving services they need and in a timely fashion. The CDA's Office will measure the success of the program by evaluating the number of protective orders applied for versus the number filed by the CDA. In 2016, 144 victims applied for protective orders but only 78 protective order cases were filed (54%). The CDA's objective is that by providing more one-on-one interactions between the victims and prosecutor that there will be a higher level of trust between the victims, the VAC and the prosecutor, which will correlate to an increased number of cases filed. A reasonable goal for 2019-2020 would be 275 applications submitted by victims then an increase to approximately 206 filings (75%). For the last grant cycle (September 1, 2017 to August 30, 2018), the CDA has received 185 applications and filed 98. It is our goal that this number continues to increase.

Data Management:

The Criminal District Attorney's Office has employed an analyst who maintains and manages case data for the office. In coordination with the Victims Assistance Coordinator, this analyst will keep statistical data on protective orders and the victims services provided.

Target Group :

This project is targeting victims of domestic violence, stalking, sexual assault and dating violence, specifically those seeking or in need of protective orders from the Criminal District Attorney's Office. The Target Group would include all victims in need of protective orders, which in FY-2016 was 144 applicants. The CDA is estimating an increase to approximately 150 applicants for FY-2017 and an increase to 200 applicants for FY-2018. The majority of the applicants are adult females (89.7% based on 1st quarter statistics). A minority of applicants are adult males (10.3% based on 1st quarter statistics). Based on Comal County's projected demographic make-up for 2015, it is estimated that applicants would be 68.4% white, non-Hispanic; 27.1% Hispanic or Latino; and 2.3% black. During the first quarter of the grant, the population breakdown has been 63.8% white, non-Hispanic; 27.6% Hispanic or Latino; 3.4% black; and 1.7% American Indian.

Evidence-Based Practices:

The Criminal District Attorney's Office will follow the evidence-based practices for Civil, Criminal, Juvenile and Tribal Justice Systems Advocacy set forth in the Best Practices Guidelines: Crime Victim Services by the Minnesota Department of Public Safety Office of Justice Programs in November 2010. These best practices include: 1. Understand the history of justice systems biases and their possible impact on victims and cases, and work with victims and systems to minimize their effects; 2. Understand and explain how the justice system works and the continuum of justice options, including restorative justice; 3. Provide assistance in making informed choices; 4. Provide support throughout all processes including those involving other systems (e.g., child/adult protection, medical, etc.); 5. Ensure victims' statutory rights are upheld; 6. Develop and implement a protocol addressing cross-jurisdictional issues; 7. Assist in pursuing criminal and civil orders; 8. Assist victims in accessing justice system partners as resources; 9. Assist in accessing legal resources as appropriate; 8. Inform victims of the implications when law enforcement and prosecution work toward making a chargeable case whether or not the victim agrees; 10. Inform victims of the discretion afforded law enforcement agencies and prosecutors, and the role victims have in the criminal justice system; 11. Ensure that victim's input and objections are communicated to the prosecutors; and 12. Assist in developing policies and procedures to ensure that victims' rights are upheld. https://www.ovc.gov/pubs/InnovativePractices/Practices_Best%20practices%20guidelines-508.pdf at 9-10.

Project Activities Information

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Prosecution	25.00	Program is designed to improve the prosecution of serious and violent crimes. Targeted prosecution of cases involving domestic violence, stalking, dating violence and sexual assault.
Protective Order Assistance	75.00	Assisting victims with seeking State protective orders; reviewing application by victims seeking protective orders; meeting one-on-one with victims to assess their cases; attending court and advocating on behalf of victims; providing legal advice and counsel to victims regarding protective orders; aiding victims in finding community resources for other legal issues (e.g., divorce and custody).

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
-------------------	--------------	--------------------------

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Number of final protective orders granted / obtained.	100
Number of final protective orders requested.	175
Number of sexual assault, domestic violence and / or stalking cases filed.	100
Number of sexual assault, domestic violence, and / or stalking cases referred.	175
Number of temporary protective orders granted / obtained.	100
Number of temporary protective orders requested.	175
Number of victims / survivors seeking services who were served.	175

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
Number of cases resulting in conviction or deferred adjudication.	20
Number of charges dismissed or acquitted.	0

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
-----------------------	--------------

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
------------------------	--------------

Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a [resolution](#) that contains the following:

1. Authorization by your governing body for the submission of the application to CJD that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update CJD should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to CJD.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will CJD grant funds be used to support any contracts for professional services?

- Yes
 No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

N/A

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with 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?

- Yes
 No
 N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

- Yes
 No
 N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

1/1/2019

Enter the End Date [mm/dd/yyyy]:

12/31/2019

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (\$) of Federal Grant Funds:

190159

Enter the amount (\$) of State Grant Funds:

1349836

Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Yes
 No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

Equal Employment Opportunity Plan Compliance

Review the information below and complete either Section A, B, or C of the federal [EEO Certification Form](#). The completed form must be sent to the Office of Civil Rights, Office of Justice Programs email address at EEOPForms@usdoj.gov. *The document must have the following title: EEO Certification.* For more information and guidance on how to complete and submit the form, please see the instructions attached at the bottom of the EEO Certification Form.

Type I Entity

Defined as an applicant that meets one or more of the following criteria:

- the applicant has less than 50 employees;
- the applicant is a non-profit organization;
- the applicant is a medical institution;
- the applicant is an Indian tribe;
- the applicant is an educational institution, or
- the applicant is receiving a single award of less than \$25,000.

Requirements

- The applicant is exempt from the EEO requirements required to prepare an EEO because it is a Type I Entity as defined above, pursuant to 28 CFR 42, subpart E;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must complete **Section A** of the EEO Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from developing an EEO.

Type II Entity

Defined as an applicant that meets the following criteria:

- the applicant has 50 or more employees, and
- the applicant is receiving a single award of \$25,000 or more, but less than \$500,000.

Requirements

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of OOG, OOG's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services;
- the applicant must complete **Section B** of the EEOP Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from submitting an EEOP to OCR; and
- the EEOP is required to be on file with the applicant agency.

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:

Jerri Hettinger HR Director 1297 Church Hill Drive Suite 206 New Braunfels, TX 78130

Type III Entity

Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements

- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the Office of Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice and has been approved by the OCR, or it will be submitted to the OCR for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must complete **Section C** of the EEOP Certification Form and send it to the Office for Civil Rights (OCR).

Certification

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:

- Type I Entity
- Type II Entity
- Type III Entity

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- I Certify
- Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

N/A

FFATA Certification

Certification of Recipient Highly Compensated Officers

The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

- Yes
- No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

- Yes
- No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered **NO** to the first statement you are **NOT** required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

0

Position 2 - Name:

Position 2 - Total Compensation (\$):

0

Position 3 - Name:

Position 3 - Total Compensation (\$):

0

Position 4 - Name:

Position 4 - Total Compensation (\$):

0

Position 5 - Name:

Position 5 - Total Compensation (\$):

0

Fiscal Capability Information

Section 1: Organizational Information

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts).

Select the appropriate response:

- Yes
- No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

- Yes
- No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

- Yes
- No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

- Yes
- No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- Yes
- No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.

Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- Yes
- No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- Yes
- No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- Yes
- No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

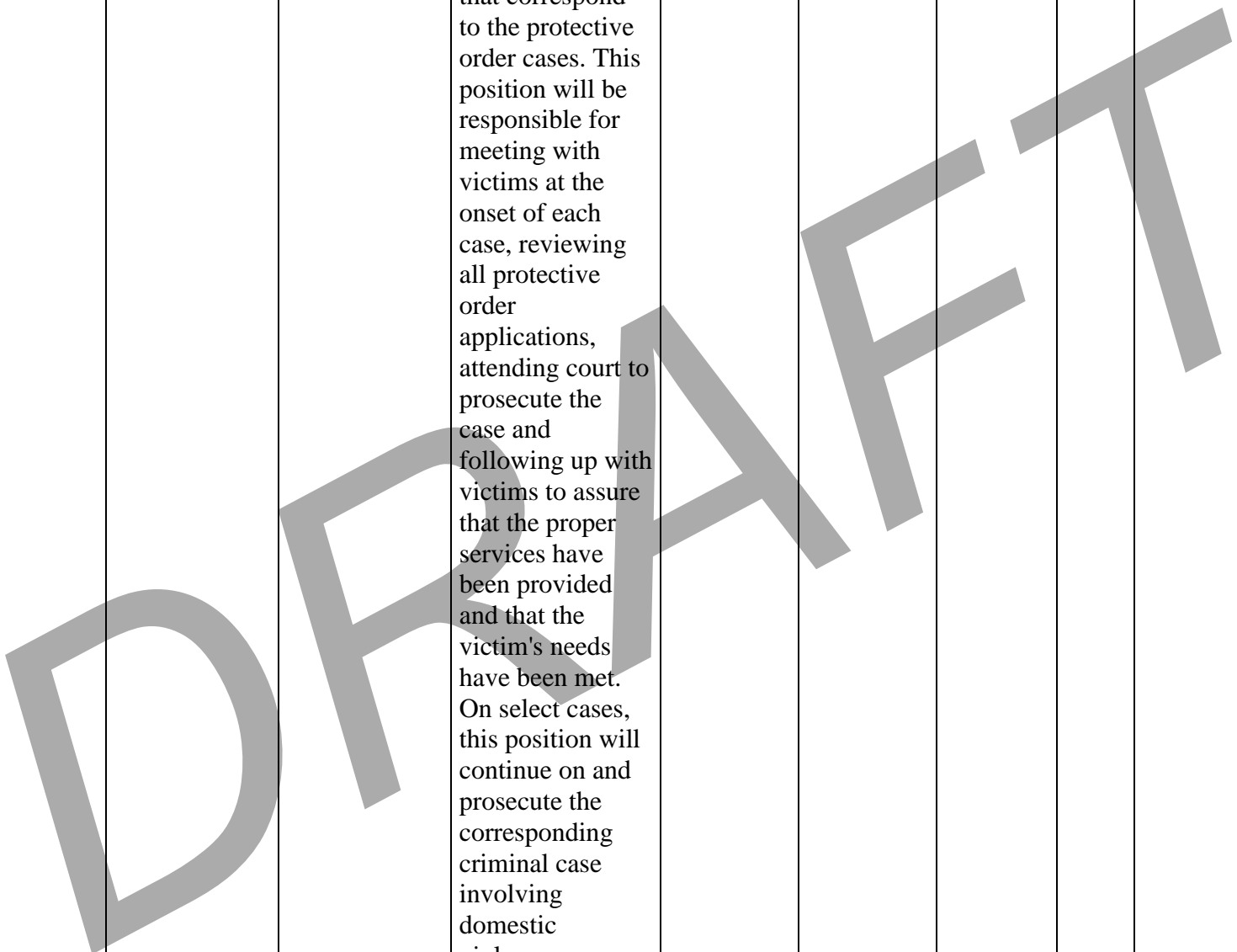
Enter your explanation:

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UN
Personnel	Attorney	Protective Order Prosecutor (#3990 - Rachael AlliAssiterKranz) - This position will review and file cases seeking protective orders for victims of domestic	\$66,758.45	\$27,267.54	\$0.00	\$0.00	\$94,025.99	

violence, stalking, sexual assault and dating violence. This position will also prosecute select criminal cases that correspond to the protective order cases. This position will be responsible for meeting with victims at the onset of each case, reviewing all protective order applications, attending court to prosecute the case and following up with victims to assure that the proper services have been provided and that the victim's needs have been met. On select cases, this position will continue on and prosecute the corresponding criminal case involving domestic violence, stalking, sexual assault and dating violence. This is an exempt position. Salary \$71,184.15 yearly. FICA



		5,445.59 - Hospitalization \$9,295.50 - Retirement \$7,929.91 - Workers' Compensation \$28.47 - Unemployment \$142.37 - TOTAL \$94,025.99						
--	--	--	--	--	--	--	--	--

Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
Cash Match from CDA's Budget - General Funds	Cash Match	\$27,267.54

Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$27,267.54	\$27,267.54	\$0.00	\$0.00	\$0.00

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Personnel	\$66,758.45	\$27,267.54	\$0.00	\$0.00	\$94,025.99

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$66,758.45	\$27,267.54	\$0.00	\$0.00	\$94,025.99

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
--	--------------	----------	------------	----------------------

You are logged in as **User Name:** valadm

DRAFT