

Agency Name: Fort Bend County

Grant/App: 1344720 **Start Date:** 9/1/2017 **End Date:** 8/31/2018

Project Title: Violence Against Women Prosecutor and Investigator

Status: Application Pending Submission

Narrative Information

Introduction

This application covers grant applications for funds administered by CJD under the funding announcements for the General Victim Assistance – Direct Services Program ([VOCA](#)), Violence Against Women Justice and Training Program ([VAWA](#)), Building Capacity to Recover and Restore Survivors of Child Sex Trafficking ([VOCA-CST](#)), and Sexual Assault Services Program (SASP). See the relevant CJD funding announcement (linked above under "OOG Solicitation") for application instructions.

WARNING: This application has changed significantly since last year. It is essential to review the funding announcement (linked above) for instructions specific to each grant program. The funding announcements may require certain information – especially under the project narrative boxes – that your application may be considered incomplete without, resulting in the application being declared invalid and ineligible for funding.

Unless otherwise specifically instructed, **DO NOT UPLOAD ATTACHMENTS** with further information. Use the space provided here to address any aspects of the project you consider relevant.

Section 1: Program-Specific Questions

A. Culturally Competent Victim Restoration

Guidance

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.

Our intake for protective orders is done through bilingual office members. Whenever possible, we provide relevant resource materials in English and Spanish and also have resource materials to groups we partner with that deal with cultural specific issues that pertain to domestic violence. We provide translators in all languages free of charge in protective order cases and victims testifying at trial. We have staff members in our office of various cultures and language capabilities that can assist with victims.

B. Culturally Specific and Underserved Populations

Guidance

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

C. Victim Referral Process

Describe how victims are referred to your agency.

Local law enforcement agencies refer criminal cases to the District Attorney's Office. At the scene of domestic violence cases, first responders give referral information for the victim of that criminal case about protective orders. In addition to protective order referrals from associated criminal cases, many people come in from word of mouth or by referral from partner agencies.

D. Relevance to Priorities

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

Improving the criminal justice system response.

This grant allows for stronger prosecution of criminal domestic violence charges and protective order applications. Stronger prosecution leads to more just results for survivors of domestic violence. Specifically, the grant adds a seasoned prosecutor to handle the most serious domestic violence cases while supervising the prosecutors handling the other family violence cases occurring in Fort Bend County, Texas. The grant also funds an experienced, specially trained, domestic violence investigator that assists the prosecutors in the family violence division. Improve court services regarding domestic violence, sexual assault, dating violence, and stalking.

The grant adds a seasoned prosecutor to handle the most serious domestic violence cases while supervising the prosecutors handling the other family violence cases occurring in Fort Bend County, Texas. The grant also supports the family violence division by providing funds for training - typically domestic violence specific - to help our family violence prosecutors be better advocates in court and to help investigators assist those prosecutors. The investigator funded by this grant aids in service of reluctant witnesses with subpoenas and serving protective order applications on respondents. The investigator also assists in preparing exhibits for trial presentation.

Strengthen victim restoration.

Stronger prosecution of domestic violence cases and protective orders leads to more just results for survivors of domestic violence.

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

The prosecutor and investigator funded by this grants participates with Fort Bend County's coordinated community response team for domestic violence, CVRT, which involves victim service groups and law enforcement from throughout Fort Bend County. The prosecutor also trains law enforcement and volunteers for the Fort Bend County Women's Center on issues related to the criminal justice system and domestic violence. The investigator works with law enforcement on an every day basis.

E. Sustainment

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

10

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'):

N/A

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'):

The population of Fort Bend County will only continue to grow in the next 10 years and with continued growth will come an increased domestic violence case load. There will be an need for additional prosecutors (who will need training) as well as domestic violence dedicated investigators to continue to provide for safety of victims and successful prosecution of offenders

F. Rural Victim Services

Does your project serve victims in rural areas or rural counties, as defined by the Texas Health and Safety Code*?

* Texas Health and Safety Code and Title 25, Health Services Section of the Texas Administrative Code, define “rural area” as (1) a county with a population of 50,000 or less; or (2) a relatively large, isolated, and sparsely populated area in a county with a population of more than 50,000.

☐ Yes

☒ No

If you answered 'YES' above, list the counties or areas of service below and their populations to demonstrate how the definition of “rural area” is met. If you answered 'NO' above, enter 'N/A'.

N/A

G. Vehicle Purchases

VOCA applicants seeking grant funds for the purchase of a vehicle must describe below:

- 1) What are the current program transportation needs that will be addressed with vehicle purchases under this project;
- 2) What evidence exists to support the need for transportation funding that is specific to the program site;
- 3) What current transportation services exist at each specific program site and how will these current services be enhanced;
- 4) What transportation services will be provided; and
- 5) How the grantee will ensure the safe transportation of victims/survivors to and from the program site.

If this application does not seek funds for the purchase of a vehicle, enter 'N/A'.

***NOTE:** Applications for vehicle funds are only accepted from those providing direct services to victims in rural areas. Further restrictions apply. See the “Rural Victim Services Vehicle” section of the VOCA funding announcement for more information.*

N/A

H. 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

I. Evaluation Projects

This section regards any evaluation budget line item and/or selection of "Program Evaluation" as a project activity.

Tier-One Evaluations

Evaluations of programs that have been implemented and the evaluations will test the fidelity of the program based on proven models or best-practices. The evaluation also will review available program output and outcome information.

Does this application include a tier-one evaluation?

☐ Yes

☒ No

If you answered '**YES**' above, describe below the best practices/model to be used in a fidelity and performance evaluation, the goal(s) of the evaluation, and why it is needed. If you answered '**No**' above, enter '**N/A**'.

N/A

Tier-Two Evaluations

Evaluations directed at measuring the effectiveness of proposed new program models or significant changes in present program models. The goal of tier-two evaluations is both to measure the program's effectiveness and to produce data and evidence necessary for others to replicate the program models and to develop best practices that CJD can use in supporting similar efforts.

Does this application include a tier-two evaluation?

☐ Yes

☒ No

If you answered '**YES**' above, describe below why this new program model is needed and the goal(s) of the evaluation. If you answered '**No**' above, enter '**N/A**'.

N/A

☒ If you answered **NO** to both questions above, check this box.

J. Child Sex Trafficking Victim Project Type

For applicants applying to serve victims of child sex trafficking, select the project type below (see Building Capacity to Recover and Restore Survivors of Child Sex Trafficking Funding Announcement for definitions and requirements).

- ☐ Community-based drop-in program
- ☐ Specialized foster care program
- ☐ Advocacy program
- ☐ Project serves victims of child sex trafficking, but application is under the General Victim Assistance – Direct Services Program Funding Announcement and is not one of the above three project types
- ☒ Project does not serve victims of child sex trafficking

Section 2: 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:

A. 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.

B. 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.

C. 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:

Jenetha Jones

Enter the Address for the Civil Rights Liaison:

Fort Bend County Judge's Office 401 Jackson Street Richmond, Texas 77469

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

281-341-8608

D. 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.

E. 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

F. 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.

G. 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.

H. Offender Firearm Prohibition

Per 18 USC § 992(g), offenders convicted of a felony or misdemeanor level crime of domestic violence and anyone subject to a domestic violence protective order is prohibited from possessing a firearm.

I. 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.

J. 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 for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the previous year.

K. Criminal History Reporting

The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2011 through 2015.

K. Immigration and Customs Enforcement Requests

The full text of this certification can be found [here](#). To be in compliance with this requirement, any county or municipal government that includes a department that detains individuals after arrest for a criminal violation must provide a letter signed by the head of each such department certifying to the requirements. This letter may be used for any application submitted to OOG for a period of up to two years from the date it is signed. If that period expires during the project period of any grant, the grantee must submit an updated letter for each such grant to remain in compliance with this requirement.

All applicants must select one of the following options:

- ☐ Applicant is not a county or municipal government
- ☐ Applicant is a county or municipal government and does not include any department that detains individuals after arrest for a criminal violation at any time
- ☒ Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. Letters certifying compliance and signed by the heads of all such departments have been uploaded to this application.
- ☐ Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. The Authorized Official has read the certification found on the aforementioned CJD website. Further, the Authorized Official will not be submitting signed letters certifying compliance from the heads of all such departments and understands that failure to comply with this certification may result in OOG, at its sole discretion, rejecting this application and any other application from the relevant county or municipal government.

M. 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.

N. Services to Victims of Crime

Applicant agrees to provide services to victims of crime which include: responding to the emotional and physical needs of crime victims; assisting victims in stabilizing their lives after victimization; assisting victims to understand and participate in the criminal justice system; and providing victims with safety and security. If the application is for a project that serves victims of sexual assault, applicant agrees to provide services to victims of sexual assault which includes providing core services, direct intervention, and related assistance to victims of sexual assault in order to assist with their recovery from the physical and psychological trauma of rape and sexual assault.

O. Volunteers

If awarded VOCA funds, applicant agrees to use volunteers to support either the project or other agency-wide services/activities, unless CJD determines that a compelling reason exists to waive this requirement.

P. Crime Victims' Compensation

Applicant agrees to assist crime victims in applying for crime victims' compensation benefits.

Q. 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.

R. Records

Applicant agrees to maintain daily time and attendance records specifying the time devoted to allowable victim services.

S. Civil Rights Information

Applicant agrees to maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability of victims served, within the timeframe established by CJD. This requirement is waived when providing services, such as telephone counseling, where soliciting the information may be inappropriate or offensive to the crime victim.

T. Victims of Federal Crime

Applicant agrees to provide equal services to victims of federal crime. (Note: 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.)

U. 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 VOCA funds.

V. Discrimination

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

W. Effective Services

Applicants applying for funds to provide victim services must demonstrate a record of providing effective services to crime victims. If the applicant cannot yet demonstrate a record of providing effective services, the applicant must demonstrate that at least 25 percent of its financial support comes from non-federal sources. (See "Capacity & Capabilities" instructions in the Funding Announcement.)

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.

X I certify to all of the application content & requirements.

Project Abstract :

Due to rapid population growth in Fort Bend County in recent years (fastest-growing large county in the U.S. 2013-2015, current population of 716,087 - U.S. Census Bureau, 2016), expansion of the law enforcement agencies and the judicial systems have been necessary in order to maintain a safe environment for the citizens. The project supports the Family Violence Division of the Fort Bend County D.A.'s Office. The growing population of Fort Bend county has continued the need for extra assistance in the specialized prosecution of domestic violence cases. The grant also allows for more training to be done for law enforcement, other prosecutors in the unit, and for volunteers at the Fort Bend County Women's Center. The program's overall target is to decrease violence against women by holding domestic violence abusers accountable in the court system. We believe that having a well trained group of seasoned prosecutors and DA Investigators employing an evidence based prosecution method is the best way to ensure just outcomes that enhance victim safety.

Problem Statement :

This grant targets the issue of domestic violence in Fort Bend County, Texas. More specifically, this grants supports an existing specialized prosecution unit, namely the Family Violence Division of the Fort Bend County District Attorney's Office. Fort Bend County is one of the fastest growing counties in the United States. The population is nearing 700,000 and is still growing. As the population of Fort Bend County has increased over the years, the number of domestic violence cases referred has generally grown. The general increase in caseload over the years can be tracked through PPRI reports from prior cycles of this continuation grant. The number of cases and courts have generally grown causing the number of court settings to increase. In addition, the need to provide training and support for law enforcement, victim advocates, and other (less senior) members of the Family Violence Division has increased.

Supporting Data :

As a continuation project, the unit's caseload has shown a continued general increase in both the number of cases referred for prosecution and cases actually litigated. The statistics included in PPRI's last report showed that the number of cases referred, filed, and successfully prosecuted at or relatively near the current grant cycle's goals. Specifically, in the 2014 calendar year our division received over 1200 case referrals for domestic violence related cases. Every single case must be reviewed by a prosecutor and in 2014 over 630 of those cases charges were filed. In the 2015 calendar year the numbers remained consistent, with over 1200 case referrals and 620 cases in which charges were filed. In the 2016 calendar year our division received 1330 case referrals for domestic violence related cases and filed over 730 of them.

Project Approach & Activities:

The program's overall target is to decrease violence against women by holding domestic violence abusers accountable in the court system. We believe that having a well trained group of seasoned prosecutors and DA Investigators employing an evidence based prosecution method is the best way to ensure just outcomes that enhance victim safety. Our division is responsible for reviewing all domestic violence cases referred to our office for prosecution. We must review each case and

make a decision whether to prosecute. Of those cases filed out prosecutors must attend numerous court dockets and hearings and occasionally have a full jury trial on the matter. This includes communication with and preparation of victims for the court process. In addition, our division reviews applications for protective orders, represents applicants in court and occasionally have full hearings on the protective order.

Capacity & Capabilities:

The Fort Bend County District Attorney's office has a staff in excess of 100. The family violence division consists of six assistant district attorneys, one investigator, two protective order clerks and a chief prosecutor. Having a dedicated investigator as well as a senior and more seasoned prosecutor assists the division in having more successful prosecution of domestic violence cases as well as success in seeking protective orders for victims. The Chief prosecutor has been a licensed attorney for over 12 years and has spent that entire time as a prosecutor. She also has tried over 100 jury trials including domestic related murders and capital murders. In addition, the Chief prosecutor has a passion for teaching both police officers and new attorneys.

Performance Management :

A primary project goal is to successfully prosecute domestic violence offenders and procure protective orders against domestic violence offenders in Fort Bend County, Texas. By successfully prosecuting criminal cases and protective orders we increase victim safety by keeping the abuser away by: either a no contact condition of probation or protective order, no contact with a victim via jail or prison time, or by providing counseling to abusers as a condition of either probation or a protective order. Success can be measured by disposition data. For us success means justice - sometimes justice is a conviction and jail time, sometimes justice is probation, and sometimes justice is a dismissal. Justice is a difficult thing to measure in numbers but success can be determined by having a high number of dispositions on cases so that we know we are keeping the system moving.

Data Management:

The project will track the number of cases referred for prosecution as well as the number of cases filed and successfully prosecuted. We use an database system called Odyssey to track the intake of cases to our office, the filing of cases as well as the disposition of cases. The project coordinator has the ability to run reports to track data.

Target Group :

Prosecuting domestic violence offenders and protective orders for Fort Bend County, Texas and victims of domestic violence that are primarily adults. The population that the project supports are domestic violence victims throughout Fort Bend County by prosecuting the offender and representing the victim as an applicant for a protective order. These victims are primarily adult women.

Evidence-Based Practices:

Prosecutors managing domestic violence cases face a constant problem of victims who are unable or unwilling to cooperate with prosecution. This occurs for a variety of reasons and includes seeking dismissal of charges, lying to prosecutors or police, recanting statements about the abuse, refusing to talk about the abuse, perjuring themselves in court to protect the abuser, or refusing to come to court altogether. (See “Explaining Counter-intuitive Behavior in Domestic Violence and Sexual Assault Cases,” The Voice Volume 1, Issue 4, National Center for the Prosecution of Violence Against Women, 2006.) (See document attached) Evidence-based prosecution can be used to prosecute individuals in domestic violence cases either without placing pressure on the victim to cooperate or when such pressure is applied but ineffective. The benefits of evidence-based prosecution include a higher number of convictions of domestic abusers and keeping victims safer by placing less emphasis on their role in prosecution – both of which hopefully result in a drop in domestic violence homicides. For evidence-based prosecution to truly work it requires dedicated, well-trained, and experienced prosecutors as well as cooperation, training and awareness of other members of the community response team, including police officers. Several studies seem to indicate that the approach and determination of prosecutors, rather than the availability of victims accounts for varying rates of prosecution. (See “Evidence Based Prosecution: An Effective Tool in Adjudicating DV,” Verve Volume 2, Number 2, Domestic Violence Crisis Center, 2012.) (See document attached)

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