# Print This Page

Agency Name: Fort Bend County

Grant/App: 4228103 Start Date: 10/1/2023 End Date: 9/30/2024

**Project Title:** Adult Sex Crimes Prosecutor **Status:** Application Pending Submission

#### **Eligibility Information**

Your organization's Texas Payee/Taxpayer ID Number:

17460019692080

**Application Eligibility Certify:** 

Created on:12/27/2022 11:22:37 AM By:Mark Hanna

#### **Profile Information**

**Applicant Agency Name:** Fort Bend County **Project Title:** Adult Sex Crimes Prosecutor

Division or Unit to Administer the Project: District Attorney's Office

Address Line 1: 301 Jackson Street

Address Line 2:

City/State/Zip: Richmond Texas 77469-3108

**Start Date:** 10/1/2023 **End Date:** 9/30/2024

Regional Council of Governments (COG) within the Project's Impact Area: Houston-Galveston Area Council

Headquarter County: Fort Bend

Counties within Project's Impact Area: Fort Bend

#### **Grant Officials:**

Authorized Official Name: KP George

Email: county.judge@fortbendcountytx.gov

**Address 1:** 301 Jackson Street **Address 1:** Office of the County Judge

City: Richmond, Texas 77469

Phone: 281-341-8608 Other Phone: 281-633-7769

Fax: 832-471-1858 Title: The Honorable Salutation: Judge Position: County Judge

#### **Financial Official**

Name: Robert Sturdivant

**Email:** Accounting@fortbendcountytx.gov **Address 1:** 309 S. 4th Street, Suite 533

Address 1:

City: Richmond, Texas 77469

Phone: 281-341-3760 Other Phone: 281-341-3769

Fax: 281-341-3774

Title: Mr. Salutation: Mr.

Position: County Auditor

# Project Director

Name: kaitlin kaufmann

Email: kaitlin.kaufmann@fortbendcountytx.gov

Address 1: 301 Jackson Street

Address 1:

City: Richmond, Texas 77469 Phone: 832-444-8338 Other Phone:

Fax: Title: Ms. Salutation: Ms.

Position: assistant district attorney

### **Grant Writer**

Name: Terri Stuart

**Email:** terri.stuart2@fortbendcountytx.gov **Address 1:** 1422 Eugene Heimann Circle

Address 1:

City: Richmond, Texas 77469

Phone: 281-341-4455 Other Phone: 832-243-2593

Fax: Title: Ms. Salutation: Ms.

**Position:** Grants Coordinator

#### **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):

17460019692080

Unique Entity Identifier (UEI): MJG8N8EPN2L3

#### **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.

The funding announcement, located on the eGrants Calendar page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's eGrants User Guide to Creating an Application guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the PSO's Guide to Grants, located on the PSO Resource for Applicants and Grantees webpage.

#### **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.

Fort Bend County is recognized as one of the most diverse communities in the country. In order to provide culturally competent victim services, our Victim Witness Assistance Division attends training on cultural knowledge and sensitivity. That knowledge and sensitivity is incorporated into the services provided to victims of all backgrounds and cultures in our community. Being aware of a victim's specific cultural needs allows for more effective and efficient victim assistance. We provide equal services to all cultural groups within our community. Bilingual office staff handle our protective order intake. Whenever possible, we provide relevant resource materials in English and Spanish, as well as resource materials for groups that we partner with (such as Daya) who focus on culturally specific issues in the domestic violence sphere. We provide translators in all languages, free of charge, in protective order cases and for criminal cases. We have staff members in our office from many cultural backgrounds that speak many languages who also assist victims. We also provide information and resources from organizations and agencies that work with the specific needs of each cultural group. We recognize that each victim is different with different needs, feelings, ideas, and barriers. We understand that victims may be more willing to cooperate and receive services if their individual needs are addressed and met. In addition, the staff of the Fort Bend County DA's Office is representative of our county's residents in regard to race and ethnicity. Because of our staff's diversity, we have employees who share the culture and many of the languages spoken by our victims and they are always ready to assist with insight, outreach and translation where needed. Any further translation required for victims will be provided free of charge. Finally, our office and the county have made training on diversity and the recognition of bias a priority for all employees.

#### **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 <u>**X**</u> 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

#### 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:

# **Grant Eligibility Regarding Compelling Victim Testimony:**

In accordance with  $3\overline{4}$  USC  $\overline{\S}$   $1045\overline{4}$ , in order for a prosecutor's office to be eligible to receive grant funds under this subchapter, the head of the office shall certify to the State receiving the grant funding that the office will, during the 3-year period beginning on the date on which the grant is awarded, engage in planning, developing and implementing—

- (1) training developed by experts in the field regarding victim-centered approaches in domestic violence, sexual assault, dating violence, and stalking cases;
- (2) policies that support a victim-centered approach, informed by such training; and
- (3) a protocol outlining alternative practices and procedures for material witness petitions and bench warrants, consistent with best practices, that shall be exhausted before employing material witness petitions and bench warrants to obtain victim-witness testimony in the investigation, prosecution, and trial of a crime related to domestic violence, sexual assault, dating violence, and stalking of the victim in order to prevent further victimization and trauma to the victim.

## **Constitutional Compliance**

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

# **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 120 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. 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  $\S$  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.

# **Cybersecurity Training Requirement**

Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the Cybersecurity Training Certification for State and Local Government. A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources Statewide Cybersecurity Awareness Training page.

# **Criminal History Reporting**

Entities receiving funds from PSO 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 66*. 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.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the

# Compliance with State and Federal Laws, Programs and Procedures

Local units of government including cities, counties and other general purpose political subdivisions, as that built chine temperator further a cities, counties and other general purpose political subdivisions, as a problem of the property of the law rent of the problem of the

In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for facility of the sex offerse for must develop the facility of the facility of

Legal Assistance for Victims (LAV) Certification

Legal Services and do not project that focus primarily on immigration legal services and do not providing region for Victims of 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 

(2) Any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be Age to the first of the first o

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 applicable of their work of the Carling grantees organizational policies do not require mediation or counseling involving offenders and victims carried to the carried and state of the carried a ase together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is

Does the applicant meet the criteria outlined above?

X 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 PSO and with the federal Office of Justice Programs. Enter the Name of the Civil Rights Liaison:

Kim Dzierzanowski, Human Resources Generalist

Enter the Address for the Civil Rights Liaison:

Human Resources 301 Jackson St Richmond, TX 77469-3108 Kim.Dzierzanowski@fbctx.gov

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

(281) 341-8616

#### **Overall Certification**

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO 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:**

We are seeking continued funding for a dedicated prosecutor who is responsible for the intake and prosecution of adult sex crimes. Our ultimate goal in applying for this grant is to continue to follow recognized best practices by using a specialized unit approach and multi-disciplinary collaboration to develop expertise, improve investigation and case outcomes while keeping victims engaged throughout the process. Data from Fort Bend law enforcement for the last five years shows that the majority of sexual assault investigations do not result in arrest and prosecution of offenders. Rather, most cases are closed without referral for a variety of reasons including the lack of cooperation or willingness to prosecute on the part of the victim, a shortage of leads or declination by the DA. We believe a paradigm shift will occur in Fort Bend County as law enforcement begins to rely on a specialized sex crimes prosecutor. More cases will be referred to the DA's Office in lieu of being closed without prosecutor review. Those cases that are referred to a trained sex crimes prosecutor are more likely to be accepted than when reviewed by a prosecutor without specialized training. At the same time, a specially trained prosecutor can assist officers in using modern tools to collect probative evidence such as digital records from phones and social media that are sometimes overlooked in more traditional investigations. Finally, a trauma-informed prosecutor can provide fresh perspective about victim response so as to encourage officers to pursue the case even if a victim's initial response to contact or questioning is different from what investigators have been trained to expect in other cases. In addition to improved investigations, specialization will improve case outcomes by allowing the prosecutor to commit the time necessary to develop expertise. The average felony prosecutor in Fort Bend County is responsible for a large volume of cases over the spectrum of crimes. They are not armed with the knowledge necessary to address vital issues such as perpetrator and victim behavior and combatting the pervasiveness of rape myths in our society. Their heavy caseloads also inhibit their ability to provide continuity and engagement for the victims. Fort Bend County is growing

exponentially and the data supports that the number of sexual assault cases is growing with us. We believe that the addition of the specialized adult sex crimes prosecutor to the Fort Bend County DA's Office is vital to our ability to provide a strong defense against sexual violence in Fort Bend County.

#### **Problem Statement:**

Under our previous staffing, non-domestic violence sex crimes cases were reviewed for filing by the Intake Division prosecutors who are responsible for the review and filing of cases of all types. While they are experienced, they do not have specialized training in the investigative tools and knowledge that is crucial to effective prosecution in adult sex crimes cases. They also lack the training to understand how trauma caused by sexual assault can affect a victim's manner of disclosure or their willingness to come forward on a timeline seen in other cases for other crimes. The lack of such training in an intake prosecutor leads to the declination of cases due to a failure of understanding. Once the case is filed under our previous model, it was sent to a Felony Division prosecutor who is responsible for handling felony cases of all types and is typically assigned on average 283 cases at any one time. The intake of a sexual assault case with a domestic violence component was staffed by a felony prosecutor in our Domestic Violence Division. Following filing, the case was handled by a general DV felony trial prosecutor who is typically assigned an average of 181 cases consisting mainly of physical/strangulation assaults and violation of protective order cases. The adult sexual assault prosecutor with specialized sexual assault trauma training is better equipped to deal with the effects of trauma on victim disclosure and behavior as the case moves forward than current Felony Division and DV prosecutors who must also carry an already heavy caseload. In addition, the general felony prosecutor lacks a depth of understanding about rape myths and the effects the myths' pervasiveness has on the attitudes of perspective jurors and law enforcement officers. As a result, they do not have all of the tools needed to effectively handle sexual assault cases nor are they prepared to disarm individuals (jurors or investigators) who hold these attitudes and beliefs.

# Supporting Data:

According to US Census data in 2021, Fort Bend County was one of the top ten counties with the largest gains in population nationwide. Due to rapid population growth in Fort Bend County in recent years (current population 822,779 - U.S. Census Bureau, 2020), expansion of law enforcement agencies and the judicial system has been necessary to maintain a safe environment for our citizens. At our current rate of growth, the Texas Demographic Center projects that we will reach a population of 936,811 in 2023. Unfortunately the growth in population has been accompanied by an increase is specific types of cases that require specialized teams of investigators and prosecutors to address. In 2020, intake accepted for charge review 34 adult sexual assault cases, 34 in 2021 and 38 in 2022. 2022 was the first full year that there was an adult sex crimes prosecutor, and we expect the number of sex assault cases presented to intake for charge review to continue to increase. Throughout the year, the adult sex crimes prosecutor met with almost all of the law enforcement agencies in Fort Bend County to build collaborative relationships and discuss investigation and filing procedures. Several agencies indicated that if a victim states they don't want to press charges on a sexual assault case, then the case investigation is closed and never forwarded to a prosecutor for review. During the meetings between law enforcement agencies and the adult sex crimes prosecutor throughout 2022, agencies were encouraged to turn over sexual assault cases for review even if the victim has indicated that they no longer want to press charges. We expect that this new approach will increase the number of sexual assault investigations that are accepted for charge review. It is generally accepted that the number of sexual assaults that occur far outweigh the number actually reported (Texas Statewide Sexual Assault Prevalence Study, August 2015). A dedicated prosecutor involved at the investigative phase of the case is likely to increase the number of reported cases resulting in an arrest. The above numbers coupled with the literature outlined below under Evidence-Based Practices supports our continued need for a full-time trauma-informed and trained adult sex crimes prosecutor working through a Multi-Disciplinary team approach in order to bring Fort Bend County in line with best practices especially for a community of our size.

#### **Project Approach & Activities:**

The adult sex crimes prosecutor handles the intake of adult sex crimes cases including domestic violence and intimate partner sexual assaults. The prosecutor is the contact person within the DA's Office for law enforcement officers investigating these cases. The prosecutor is available not only to file charges but to provide investigative support through the giving of advice as well as the preparation of any warrants, court orders or subpoenas required to obtain needed evidence. Once the necessary evidence is gathered, the prosecutor works with the investigators to determine the most appropriate charge and will present the case to the grand jury. After an indictment is obtained, the prosecutor will continue handling the case to disposition including trial if required. A dedicated adult sex crimes prosecutor provides staff continuity to the victim by working along with the existing victim assistance coordinators within our office and our community partners. This consistency of personnel will minimize additional trauma to the victim as the case moves to a resolution and prevent victims from dropping off before a just resolution can be reached. In addition to the work provided on investigations and cases, the prosecutor will be available to train law enforcement and work with our community partners to help spread the word in our county of the resources available to those who are victims of sexual assault. Increased presence in the community leads to an increase in reporting due to a greater trust in the criminal justice system.

#### Capacity & Capabilities:

The DA's Office represents the State of Texas in state criminal prosecutions for crimes that occur in Fort Bend County. We have 156 employees consisting of 78 attorneys, 21 investigators, and 58 support staff. The prosecutor on this grant is an Attorney 2 felony level prosecutor, with 7 years of criminal law experience and is assigned to Special Crimes division which handles adult felony sexual assault offenses and human trafficking offenses. Support is provided from within the office through victim assistance coordinators, investigators and staff but also from outside the office through our collaborative partnerships with Fort Bend County Crime Victim's Response Team (CVRT), the Fort Bend Women's Center and the Sexual Assault Response Team (SART). CVRT is our coordinated community response team on domestic violence and sexual assault. The president of CVRT is the chief prosecutor of our Domestic Violence Division and is also funded through a VAWA grant. The adult sex crimes prosecutor will actively participate with CVRT and SART including attending meetings as well as joining in training of law enforcement and other service providers. The Fort Bend Women's Center is the primary sexual assault service provider in Fort Bend County. They support our efforts to obtain this specialized position and we are all hopeful that such a position and the increased collaboration resulting therefrom will help close the gap between reporting and services.

# Performance Management :

The current grant position was filled in December of 2021; therefore meaningful performance measures have not been collected. However, the goal is to improve outcomes while at the same time increasing services to victims in the prosecution of sex crimes cases. This will be done by utilizing the specially trained and experienced prosecutor supported by and providing support to a multi-disciplinary team whose goal is reducing negative impact on victims and improving prosecution results. Fort Bend County currently has approximately 51 adult sexual assault cases pending in the District Courts. These cases are currently being handled by the adult sex crimes prosecutor. Having a dedicated and trained prosecutor handling these cases and providing continuity of relationships with victims is be an indicator of success. Another measure will be viewed in light of what is considered success by the victims. Dispositions through trial or other resolution in a more timely fashion will reduce victim harm and the potential that victims will remove themselves from the process out of frustration. A dedicated prosecutor for whom this is a primary goal along with victim's advocates will have more success than one who is managing these cases along with a multitude of other crimes. Our objective is to provide services such as legal advice, warrants, court orders, subpoenas, grand jury presentation and charge screening to

officers on approximately 100 adult sex crimes cases and to carry a sexual assault caseload of approximately 50 cases. In order to determine if our goals and objectives are being met, we will use the Fort Bend County Odyssey criminal justice information management system along with our own internal data collection system to track the caseload outcomes. In the past, the DA's Office has only maintained records of cases presented by law enforcement for review but have not kept detailed records of services provided to investigative agencies such as those that a dedicated sexual assault prosecutor will be making a priority. Going forward, we will use the existing county resources available to develop a new system to track the services provided to law enforcement.

#### **Target Group:**

The target group is adult victims of sex crimes in Fort Bend County. This group consists mainly of women. The Texas Demographic Center (TDC) had projected the total population of Fort Bend County in 2019 to be 810,619 with 412,564 of those counted being female. TDC provided further projections as to race, ethnicity and gender. Based on their projections, the total number of White females would be 133,618, Black females would be 83,645, Hispanic females would be 100,826, Asian females would be 83,507, and 10,968 females would be of other ethnicity or race. The US Census Bureau found in 2019 that 77.8% of the population is eighteen years of age and older. Thus approximately 322,061 individuals of the 413,961 members of the female population in Fort Bend County are adults. The 2015 Texas Statewide Sexual Assault Prevalence Study found that 2.3% of all women in Texas experienced sexual assault the year before the study. Therefore, it is reasonable to assume that at least 7,407 adult woman in Fort Bend County will experience sexual assault in a one-year period and form the target group for this project.

#### **Evidence-Based Practices:**

This model has been used successfully in Harris County which has two VAWA funded prosecutors who handle the intake and prosecution of adult sex crimes. Other Texas counties have successfully instituted adult sex crimes specialty positions as well. Research supports that dedicated prosecutors with specialized training can help improve the chance of gaining a victim's cooperation and more effectively address the challenges of these cases. A recent statewide audit mandated by HB 1 in the 86th Legislative Session examined the investigation and prosecution processes for adult sex crimes from the time of report through final court decisions. The study looked at cases between 2014 and 2018. One of the overall conclusions from the audit is that victims of a sexual assault may be reluctant to participate in the investigation and prosecution process for a variety of reasons. Victims must cope with the aftermath of the sexual assault along with the additional challenges of combating sexual assault myths and gender bias that perpetuate victim-blaming. In addition to facing trauma exacerbated by being blamed for their victimization, they must confront what is perceived to be an uncaring and even hostile criminal justice system. As a result, sexual assaults are severely underreported compared to other crimes. The report also noted that authorities may lose the cooperation of victims if officers and prosecutors have not been trained to understand the psychological trauma that a sexual assault can have on victim behavior and recall. The report further stated that victims also become frustrated and lose confidence in the system when they do not understand the process or the process proceeds too slowly. A survey of community advocacy organizations indicated that victim support could improve the investigation and prosecution process. The audit also found that local law enforcement and district attorneys' offices have adopted certain nationally recognized best practices to help address these challenges including training prosecutors on victim-centered and trauma-informed practices for engaging sexual assault victims and "creating specialized units for investigating and prosecuting sexual assault crimes." Research also supports the institution of specialized units to promote the development of expertise in those tools and evidence unique to adult sex crimes cases to obtain improved results in both the investigation and prosecution of sexual violence. Focused training provides specialized unit prosecutors the advanced knowledge necessary to explain common gaps in evidence, perpetrator and victim behavior, and combatting the pervasiveness of rape myths in our society. A specialized unit allows for a multi-disciplinary team approach which will improve prosecution outcomes and increase victim engagement while reducing harm. An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas, October 2020, Report No. 21-002; Model Response to Sexual Violence for Prosecutors (RSVP) An Invitation to Lead, AEquitas, Justice Management Institute, and Urban Institute, 2017; Executive Guidebook; Practical Approaches for Strengthening Law Enforcement's Response to Sexual Assault, Police Executive Research Forum, May 2018.

# **Project Activities Information**

# Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

# **Violence Against Women Justice and Training Program**

In the space below, briefly explain how your project will address one or more of the state priority areas listed below:

- a) Law Enforcement
- Victim-Centered/Trauma-Informed Training
- Regional Sexual Assault Response Teams: Law Enforcement participation
- Specialized Investigators/Units
- Coordination between Law Enforcement and Victim Service Providers
- b) Prosecution
- Victim-Centered/Trauma-Informed Training
- Regional Sexual Assault Response Teams: Prosecution participation
- Specialized Prosecutors/Units
- c) Victim Services
- Trauma-Informed, Professional Mental Health Therapy and Counseling
- Address Rural Needs
- Transportation and Emergency Housing
- Implementation of Telehealth/Tele-Advocacy Technology
- Language access plans
- Victim-Centered/Trauma-Informed Training
- d) Courts
- Legal Advocacy (protective order assistance, legal rights & options, court accompaniment, etc.)
- Access to Court Hearings

This project addresses state priorities in Prosecution by supporting a dedicated prosecutor who is responsible for the intake and prosecution of adult sex crimes. By continuing to follow recognized best practices by using a specialized unit approach and multi-disciplinary collaboration to develop expertise, we can improve investigation and case outcomes while keeping victims engaged throughout the process. Victim engagement is supported through continued education on Victim-Centered/Trauma-Informed Training for unit prosecutors and investigators.

## **Selected Project Activities:**

ACTIVITY | PERCENTAGE: | DESCRIPTION

Prosecution	100.00	The adult sex crimes prosecutor handles the intake of adult sex crimes cases including domestic violence and intimate partner sexual assaults. The prosecutor is the contact person within the DA's Office for law enforcement officers investigating these cases. The prosecutor not only aids in filing charges but also provides investigative support through advice as well as the preparation of any warrants, court orders or subpoenas required to obtain needed evidence. Once the necessary evidence is gathered, the prosecutor works with the investigators to determine the most appropriate charge and will present the case to the grand jury. After an indictment is obtained, the prosecutor will continue handling the case to disposition including trial if required. The adult sex crimes prosecutor also handles pending sex assault cases and trials that were indicted prior to the creation of the adult sex crimes position. A dedicated adult sex crimes prosecutor provides staff continuity to the victim by working along with the existing victim assistance coordinators within our office and our community partners. This consistency of personnel minimizes additional trauma to the victim as the case moves to a resolution and prevents victims from dropping off before a just resolution can be reached. In addition to the work provided on investigations and cases, the prosecutor works to train law enforcement and work with our community partners to helpspread the word in our county of the resources available to those who are victims of sexual assault. Increased presence in the community will lead to an increase in reporting due to a greater trust in the criminal justice system.

**CJD Purpose Areas** 

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
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# **Measures Information**

# Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Number of sexual assault, domestic violence and / or stalking cases filed.	20
Number of sexual assault, domestic violence, and / or stalking cases referred.	60

# Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
Number of cases resulting in conviction or deferred adjudication.	12
Number of charges dismissed or acquitted.	5

# Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
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# Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
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#### **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 the Public Safety Office (PSO) 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 the PSO 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 PSO.

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

Select the appropriate response:

\_ Yes **X** No

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

Enter a description for monitoring contract compliance:

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?

Select the appropriate response:

Yes

X 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?

Select the appropriate response:

Yes

X 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]:

10/1/2023

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

9/30/2024

# 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 (in Whole Dollars \$) of Federal Grant Funds expended:

176221704

Enter the amount (in Whole Dollars \$) of State Grant Funds expended:

7657625

### 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 PSO grant. However, PSO 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?

Select the appropriate response:

X 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:

3/31/2022

#### **Equal Employment Opportunity Plan**

#### Compliance

The EEOP certification information must be submitted to the Office of Civil Rights, Office of Justice Programs through their on-line <u>EEOP Reporting Tool</u>. For more information and guidance on how to complete and submit the federal EEOP certification information, please visit the US Department of Justice, Office of Justice Programs website at <a href="https://ojp.gov/about/ocr/eeop.htm">https://ojp.gov/about/ocr/eeop.htm</a>.

## Type I Entity

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

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

#### Requirements

- The applicant agency is exempt from the requirement to prepare an EEOP 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 submit EEOP Certification information the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP.

#### Type II Entity

Defined as an applicant that meets the following criteria:

- has 50 or more employees, and
- 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 submit EEOP information 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:

Nicole Ledet, Director Human Resources Fort Bend County 301 Jackson St Richmond, TX 77469-3108 281-341-8631 nicole.ledet@fbctx.gov

#### 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 submit EEOP information 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
- X 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:

X 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.

#### **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 helow

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 X 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

<u>**X**</u> 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 inkind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

Position 2 - Name:

Position 2 - Total Compensation (\$):

0

Position 3 - Name:

Position 3 - Total Compensation (\$):

0

Position 4 - Name:

Position 4 - Total Compensation (\$):

Position 5 - Name:

Position 5 - Total Compensation (\$):

0

#### **Victim Services Information**

# **Agency Type**

Implementing Agency Type - Government

Which designation best describes your agency

Prosecutor

#### **Purpose of Award**

Continue an OOG-funded victim project funded in a previous year

#### **Type of Crime Funding Distribution**

Identify the percent of funding dedicated to each type of victimization. The percentages provided below should not include matching funds. Cumulative total for all types of victimization must equal 100%.

Type of Crime		of Funds Dedicated to Crime hole percentages only	Funds Dedicated to Crim Current Award x Percent	-
Child Physical Abuse	0		\$0.00	
Child Sexual Abuse	0		\$0.00	
Domestic and Family Violence	0		\$0.00	
Child Sexual Assault	0		\$0.00	
Adult Sexual Assault	100		\$80,000.00	
DUI/DWI Crashes	0		\$0.00	
DUI/DWI Crashes	0		\$0.00	
Assault	0		\$0.00	
Adults Molested As Children	0		\$0.00	
Elder Abuse	0		\$0.00	
Robbery	0		\$0.00	
Survivors of Homicide	0		\$0.00	
Adult Human Trafficking	0		\$0.00	
Child Human Trafficking	0		\$0.00	
Other Violent Crimes	0		\$0.00	
Description:			·	
Other Non-Violent Crimes 0			\$0.00	
Description:			·	
SUM of %'s Sum of % MUST = 100%	100	SUM of Funds Sum of Funds MUST = OOG Current Budget		\$80,000.00

# **Use of Funds**

Does this project provide DIRECT SERVICES to victims:

\_ Yes <u>X</u> No

Information and Referral

Personal Advocacy/Accompaniment

**Emotional Support or Safety Services** 

Shelter/Housing Services

Criminal/Civil Justice System Assistance

Assistance in Filing Compensation Claims

All VOCA-funded direct service projects MUST assist victims with seeking crime victim compensation benefits. Please explain why your agency is not assisting victims with crime victim compensation benefits:

# **Types of Victimizations**

Check the types of victimization that best describe the victims the grant-funded project will serve. "Other" refers to a type that Is Not associated with any of the types provided in the list. Check all that apply:

Types of Victimizations

• Adult physical assault (includes aggravated and simple assault)

- · Adult sexual assault
- · Human trafficking: sex

# **Budget and Staffing**

Answer the questions below based on your current fiscal year. Report the total budget available to the victim services program by source of funding. Do not report the entire agency budget, unless the entirebudget is devoted to victim services program.

Annual funding amounts allocated to all victimization programs and/or services for the current fiscalyear:

Identify by source the amount of funds allocated to the victimization program/services budget for youragency. DO NOT COUNT FUNDS IN MORE THAN ONE CATEGORY. OTHER FEDERAL includes all federalfunding except the award amount for this grant.

OOG Current Budget: \$80,000.00 Other State Funds: \$0.00 Other Local Funds: \$0.00

Other Non-Federal Funds:

Other Federal Funds: \$0.00

\$0.00

Total Victimization Program Budget: \$80,000.00

Total number of paid staff for all grantee victimization program and/or services:

COUNT each staff member once. Both full and part time staff should be counted as one staff member.DO NOT prorate based on FTE.

Total number of staff:

1

Number of staff hours funded through THIS grant award (plus match) for grantee's victimization programs and/or services: Total COUNT of hours to work by all staff supporting the work of this award, including match.

Total number of hours:

2080

Number of volunteer staff supporting the work of this award (plus match) for grantee's victimization programs and/or services: COUNT each volunteer staff once. DO NOT prorate based on FTE.

Total number of volunteer staff:

0

Number of volunteer hours supporting the work of this award (plus match) for grantee's victimization programs: Total COUNT of hours to work by all volunteers supporting the work of the award, including match

Total hours to work by all volunteers:

0

Explain how your organization uses volunteers to support its victimization programs or if your organizationdoes not use volunteers explain any circumstances that prohibit the use of volunteers.

### **Fiscal Capability Information**

### Section 1: Organizational Information

\*\*\* FOR PROFIT CORPORATIONS ONLY \*\*\*

Enter the following values in order to submit the application

Enter the Year in which the Corporation was Founded: 0

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status: 01/01/1900

Enter the Employer Identification Number Assigned by the IRS: 0

Enter the Charter Number assigned by the Texas Secretary of State: 0

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 Av	ward?
_ 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	UNIT/%
Personnel	Prosecutor	This grant supports the Intake Division of the Fort Bend County DA's Office and funds a specially trained prosecutor, currently Kaitlin Kaufmann, who handles adult sex crimes. \$118,491.91 is the salary and \$45,409.09 is for fringe benefits for a total amount of \$163,897.00.	\$80,000.00	\$83,897.00	\$0.00	\$0.00	\$163,897.00	100
Travel and Training	In-State Registration Fees, Training, and/or Travel	The prosecutor assigned to the Adult Sex Crimes position requires specialized training and continuing education opportunities to fulfill the requirements under the terms of the grant. Some trainings are available every year and some change from year to year. Some examples of trainings that would be attended by the adult sex crimes would be the Crimes Against Women Conference in Dallas, Texas, the Texas District and County Attorney's Association Prosecuting Violent Crimes (which includes a track dedicated to prosecuting sexual assaults) and the National District Attorney's Association: Investigating and Prosecuting Sexual Assaults. The Crimes Against Women Conference is held every year. In 2022, the Adult Sex Crimes Prosecutor will attend the Crimes Against Women Conference, and the costs include: the hotel (government) rate of \$154.00 per day (4 days) and a registration fee of \$500 per attendee. The perdiem for meals is a maximum of \$36.00 per day and the current travel reimbursement is .585 per mile (the Fort Bend County Purchasing Manual with Travel Policy and the Travel Expense Form have been uploaded), The TDCAA course on prosecuting violent crimes is \$175 for the course only, and	\$0.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0

4 10 5 100	40.00	
1/25/23	10:30	AIV

dependent upon location in 2023, the travelreimbursemen tof .585 per milewould also apply. According to their website, the National District Attorney's Association's Investigating and Prosecuting Sexual Assaults course cost is \$785.00 for member offices and \$865.00 for non-member offices, and there would be associated travel expenses dependent on the location.			
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# **Source of Match Information**

# **Detail Source of Match/GPI:**

DESCRIPTION	MATCH TYPE	AMOUNT
Fort Bend County General Fund	Cash Match	\$85,897.00

# Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$85,897.00	\$85,897.00	\$0.00	\$0.00	\$0.00

# **Budget Summary Information**

# **Budget Summary Information by Budget Category:**

CATEGORY	GORY OOG		IN-KIND MATCH	GPI	TOTAL
Personnel	\$80,000.00	\$83,897.00	\$0.00	\$0.00	\$163,897.00
Travel and Training	\$0.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00

# **Budget Grand Total Information:**

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$80,000.00	\$85,897.00	\$0.00	\$0.00	\$165,897.00

# **Condition Of Fundings Information**

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
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You are logged in as **User Name**: tstuart8430