

## RESOLUTION

**WHEREAS,** The **FORT BEND COUNTY COMMISSIONER'S COURT** finds it in the best interest of the citizens of FORT BEND COUNTY that the **VIOLENCE AGAINST WOMEN PROSECUTOR AND INVESTGATOR GRANT** be operated for the **2015-2016** year; and

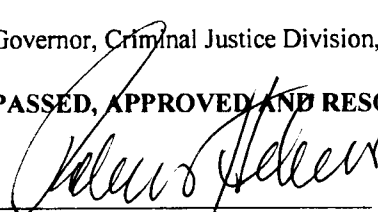
**WHEREAS,** The **FORT BEND COUNTY COMMISSIONER'S COURT** agrees to provide matching funds for \$103,205.99 or an amount equal to or exceeding 35% of the total project cost, as required by the grant application; and

**WHEREAS,** the **FORT BEND COUNTY COMMISSIONER'S COURT** agrees that in the event of loss or misuse of the Criminal Justice Division funds, the **FORT BEND COUNTY COMMISSIONER'S COURT** assures that the funds will be returned to the Criminal Justice Division in full.

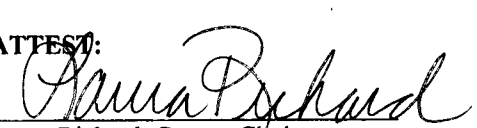
**WHEREAS,** the **FORT BEND COUNTY COMMISSIONER'S COURT** designates **COUNTY JUDGE, ROBERT E. HEBERT** as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that the **FORT BEND COUNTY COMMISSIONER'S COURT** approves submission of the grant application for the **VIOLENCE AGAINST WOMEN PROSECUTOR** to the Office of the Governor, Criminal Justice Division, in the amount of \$126,625.01 for a project total of \$229,831.00.

**PASSED, APPROVED AND RESOLVED** ON THE 24 DAY OF February, 2015.

  
Robert Hebert, County Judge

**ATTEST:**

  
Laura Richard, County Clerk



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**Agency Name:** Fort Bend County**Grant/App:** 1344718 **Start Date:** 9/1/2015 **End Date:** 8/31/2016**Project Title:** Violence Against Women Prosecutor**Status:** Application Pending Submission**Budget Details Information****Budget Information by Budget Line Item:**

CATEGORY	SUB CATEGORY	DESCRIPTION	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Personnel	Certified Peace Officer - All Others	One DA Investigator that supports the Family Violence Division of the Fort Bend County DA's Office. \$96967 is the total salary amount including fringe benefits.	\$43,500.00	\$46,321.00	\$0.00	\$0.00	\$89,821.00	100
Travel and Training	In-State Registration Fees, Training, and/or Travel	For Texas training and travel for CLE approved/TCOLE approved and/or TDCAA events for investigators and prosecutors handling domestic violence cases and protective orders in support of the family violence division. Per diem is different for individual cities. All lodging must be approved by the District Attorney and is typically the same location (hotel) as the actual seminar.	\$10,500.00	\$0.00	\$0.00	\$0.00	\$10,500.00	0
Personnel	Prosecutor	This grant supports the Family Violence Division of the Fort Bend County DA's Office. It funds an experienced and specially trained prosecutor who handles felony domestic violence cases. This prosecutor supervises and teaches the other attorneys in the division that prosecute family violence crimes and protective order applications. Amounts listed include fringe	\$72,625.01	\$56,884.99	\$0.00	\$0.00	\$129,510.00	100

		benefits.						
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## Narrative Information

### Primary Mission and Purpose

The purpose of this funding is to assist in developing and strengthening effective law enforcement, prosecution and court strategies to combat family violence, sexual assault, dating violence, and stalking crimes against women and to develop and strengthen victim services in such cases.

### Funding Levels

The anticipated funding levels for these programs are as follows:

- Minimum Award - \$5,000
- Maximum Award - None
- Grantees must provide matching funds of at least thirty-five percent (35%) of total project expenditures. This requirement may be met through either cash or in-kind contributions or a combination of both.

For more information regarding grantee match, please click on the **Budget** tab, and then click on the **Source of Match** tab in eGrants.

**Note:** If you voluntarily include matching funds that exceed the minimum match requirement, you will be held to that amount throughout the grant period.

## Program Requirements

### Preferences

Preference will be given to applicants that promote comprehensive victim restoration while incorporating an emphasis on cultural competency in underserved populations. Applicants are also encouraged to streamline administrative and reporting processes by consolidating grant requests whenever possible in lieu of submitting multiple applications.

### Program Income

Applicant agrees to comply with all federal and state rules and regulations for program income and agrees to report all program income that is generated as a result of the project's activities. Applicant agrees to report program income to CJD through a formal grant adjustment and to secure CJD approval prior to use of the program income. Applicant agrees to use program income for allowable costs and agrees to expend program income immediately after CJD's approval of a grant adjustment and prior to requesting reimbursement of CJD funds.

**Deduction Method** - Program income shall be deducted from total allowable costs to determine the net allowable costs. Program income shall be used for current costs unless CJD authorizes otherwise. Program income which the grantee did not anticipate at the time of the award shall be used to reduce the CJD award and grantee match rather than to increase the funds committed to the project.

**Note:** Program income must be spent on project expenses before expending OOG grant funds. Program income is subject to the same statutes, rules, regulations, and guidelines applicable to the use of the OOG-funded portion of the grant.

**Asset Seizures and Forfeitures** - Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (e.g., law enforcement entity).

### Criminal History Reporting

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

### Program Emphasis

Applicant agrees to implement comprehensive strategies that are sensitive to the concerns and safety of the victims and hold offenders accountable for their crimes. Applicants must indicate the percentage of their project that benefits Victim Services, Law Enforcement, Prosecution, Courts or other areas. Program emphasis decisions should be made based on the beneficiary of the funded activities. For example, a victim services coalition who provides training to police throughout the state would fall under the "law enforcement" category because the training is to benefit law enforcement.

Indicate the percentage (%) of your project that benefits:

**Victim Services** - any nonprofit, nongovernmental organization that assists victims.

0

**Law Enforcement** - any public agency charged with policing functions.

0

**Prosecution** - any public agency charged with direct responsibility for prosecuting criminal offenders.

100

Court – any civil or criminal court system.

0

Other – any initiative that indirectly affects victims (ex., developing protocols and procedures).

0

**Legal Assistance for Victims (LAV) Certification**

The applicant must certify 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

**Culturally Competent Victim Restoration**

Provide information in this section regarding how your organization is culturally competent when providing services to victims. Here are some guidelines to follow: 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.

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.

**Culturally Specific and Underserved Populations**

**UNDERSERVED POPULATIONS** - The term '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** - The term '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))).

The term '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.

The term 'Hispanic' means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country.

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.

Does your program have a **primary focus** on serving a culturally specific population?

☐ Yes

☒ No

If you answered **YES** to the question 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.

**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.

**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.

**Judicial Notification**

Offenders involved in a protection order are not allowed to possess a firearm unless the offender is a peace officer who is actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

**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.

**Nondisclosure of Confidential or Private Information**

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.

**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.

**Statewide Priorities**

**Applicants must address one or more of the following statewide priorities (enter 'N/A' if not applicable):**

Improve the criminal justice system response to victims of violence against women.

Provide a brief explanation:

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.

Provide a brief explanation:

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.

Provide a brief explanation:

Stronger prosecution of domestic violence cases and protective orders leads to more just results for survivors of domestic violence. Increase collaboration and communication across all levels of government and among all victim services.

Provide a brief explanation:

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.

**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 Richmond, Texas 77469

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

(281)341-8608

### Certification

Each applicant agency will certify to the specific criteria detailed above under **Program Requirements** to be eligible for funding under the Violent Crimes Against Women Criminal Justice and Training Projects – Domestic Violence, Sexual Assault, Dating Violence, and Stalking Solicitation.

**X** I certify to all of the above eligibility requirements.

### Problem Statement:

Please provide a detailed account in the Problem Statement section of the existing issues your project will target.

Enter your 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 over 650,000 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:

Provide as much supporting data, to include baseline statistics and the sources of your data, which are pertinent to where the grant project is located and/or targeted. Do not use statewide data for a local problem or national data for a statewide problem.

Enter your 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.

### Community Plan:

For projects that have a local or regional impact target area, provide information regarding the community plan need(s) that your project will address.

Enter your community planning needs:

Domestic Violence

### Goal Statement:

Provide a brief description of the overall goals and objectives for this project.

Enter a description for the overall goals and objectives:

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.

### Cooperative Working Agreement (CWA):

When a grantee intends to carry out a grant project through cooperating or participating with one or more outside organizations, the grantee must obtain authorized approval signatures on the cooperative working agreement (CWA) from each participating organization. Grantees must maintain on file a signed copy of all cooperative working agreements, and they must submit to CJD a list of each participating organization and a description of the purpose of each **CWA**. Cooperative working agreements do not involve an exchange of funds.

For this project, provide the name of the participating organization(s) and a brief description of the purpose(s) for the **CWA(s)**. You should only provide information here that this project's successful operation is contingent on for the named service or participation from the outside organization.

Note: A **Sample CWA** is available [here](#) for your convenience.

Enter your cooperating working agreement(s):

CVRT The Fort Bend County Crime Victim's Response Team is a longstanding partner that provides training to those who aid victims of domestic violence and sexual assault. It is the coordinated community response group for Fort Bend County on these issues. Partners include law enforcement, counseling services, the Women's Center and several other agencies that combat domestic violence.

### Continuation Projects:

For continuation projects only, if your current or previous year's project is NOT on schedule in accomplishing the stated objectives, briefly describe the major obstacles preventing your organization from successfully reaching the project objectives as stated within your previous grant application. (Data may be calculated on a pro-rated basis depending on how long the current or previous year's project has been

operating.)

Enter your current grant's progress:

Currently, the project is on target to be at or near it's goals regarding prosecution of criminal cases and training.

**Project Summary:**

Briefly summarize the entire application, including the project's problem statement, supporting data, goal, target group, activities, and objectives. Be sure that the summary is easy to understand by a person not familiar with your project and that you are confident and comfortable with the information if it were to be released under a public information request.

Enter your summary statement for this project:

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 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 employing an evidence based prosecution method is the best way to ensure just outcomes that enhance victim safety.

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