



HCDA-VU ELEGIBILITY POLICY

"In determining eligibility for individuals seeking services from Hidalgo County District Attorney Office "Victims Unit" (HCDA-VU) program, this agency bases screening procedures solely on the individuals' status as a victim of a violent crime and these victims are eligible for services without regard to the following:

1. Income
2. Ability to contribute, donate, or pay for services
3. Gender
4. Sexual orientation/identification
5. Type of abuse, including victimization by the sex industry
6. Disabilities, as defined by the American with Disabilities Act
7. Number of previous times services have been sought from this organization or other community based programs
8. Cultural Barriers of this organization, including language
9. Number of children accompanying the victim; or
10. Immigration status

The Hidalgo County District Attorney Office "Victims Unit" program makes every reasonable effort to serve non-English, or Limited English Proficiency (LEP), speaking persons seeking services in their native language. For cases in which staff or volunteers do not speak the victim's language, staff or volunteers will utilize existing community resources to provide translation services. Staff or volunteers will seek assistance from the telephone company for language line services only when face to face communications cannot be facilitated. Please review the "Hidalgo County District Attorney Office "Victims Unit" LEP procedures for more information on how to do this. If services have been previously terminated and an otherwise eligible victim requesting reconsideration of services the victim's current circumstances will be reassessed to determine if the behaviors that resulted in the previous termination are still present. If staff determines that the behaviors are no longer present, then the agency will re-consider the victim for further assistance. If the agency determines that the behaviors continue to exist, then a staff member or volunteer will make every reasonable effort to develop a safety plan with the victim. If the organization has direct knowledge that the victim exhibits behaviors that threaten the safety and security of staff and other clients, the organization may preclude eligible victims from receiving services. At the "Hidalgo County District Attorney Office "Victims Unit", these behaviors include the following:

1. Possessing a weapon
2. Being violent and/or abusive towards others
3. Maliciously or purposely divulging the location of the shelter
4. Threatening to hurt staff or other victims/clients

This policy shall take effect as of, _____, and can be modified as needed with the approval of the Hidalgo County Criminal District Attorney and Commissioners Court. This policy shall be reviewed every two (2) years and modified as needed.



HCDA-VU TERMINATION POLICY & GRIEVANCE PROCEDURES

1. "When Terminating a client from services, the HIDALGO COUNTY DISTRICT ATTORNEYS OFFICE- VICTIMS UNIT will comply with the Americans with Disabilities Act, Title VI of the Civil Rights Act; §504 of the Rehabilitation Act; the Age Discrimination Act of 1975; and other applicable laws and regulations."

a. The American with Disabilities Act, title III, (<http://www.ada.gov/pubs/adastatue08.htm>) prohibits the discrimination against clients because of a mental or physical disability. This law provides qualified disable clients with the right to access services and benefits by ensuring facility accessibility where benefits and services are provided. This law requires that victim service centers to make every reasonable effort to accommodate clients who are protected under the American with Disabilities Act.

b. The Civil Rights Act of 1964. Title VI, (<http://www.usdoj.gov/crt/cor/coord/titlevistat.php>) states in part that potential clients cannot be denied services and benefits due to race, color, national origin, or religion in any programs that receives funding from the Department of Health and Human Services (HHS).

c. The Rehabilitation Act of 1973 (<http://www.dotcr.ost.dot.gov/documents/ycr/REHABACT.HTM>) applies to all recipients of federal assistance from HHS. This law prohibits excluding or denying individuals with disabilities equal opportunity to receive benefits and services.

d. The Age Discrimination Act (<http://www.dol.gov/oasam/regs/statues/ageact.htm>) requires equal access to services and benefits regardless of the client's age. This law stated that no person, based on their age, can be denied benefits from, be excluded from participation in, or be limited in access to any program or activity that receives federal financial assistance. This law prohibits policies or practices that exclude a client based on her/his age or the age of any dependents.

2. "When a victim is terminated from the agency's services, HCDA-VU, will:

- A. Give client an opportunity to participate in an exit interview (evaluation of services.)
- B. Give the client in writing the agency's policy regarding retention and destruction of client's files.



- C. Discuss if and how the agency will forward notification or mail
- D. Help the client revise her/his safety plan
- E. Give the client referrals to other shelters and community resources
- F. Review grievance and appeals policy; and
- G. Provide the client and contact information for appropriate grant managers, if this information is requested.

“If victim services have been terminated involuntarily, the agency will follow the procedures outlined above and will document the reasons of termination. In addition, HCDA-VU will give the victim the written procedures to appeal the termination and file a grievance.

Services to non-residents may be terminated for behaviors that put the safety of clients, staff and/or volunteers at risk. These behaviors include: possessing a weapon, being violent and/or abusive towards others, and maliciously or purposely divulging the location of the shelter. This policy shall be non-gender specific and applied equally to all persons.

If services have been previously terminated and an eligible victim requests readmission to program services, the victim’s current circumstances should be reassessed to determine if the behaviors that resulted in the previous termination are still present. If it is determined that the behaviors are no longer present, the victim will be readmitted. If it is determined that the behaviors are still present, a staff member or volunteer will make every reasonable effort to develop a safety plan with the victim. “

3. Grievance Procedures

HCDA-VU clients will have the right to file a Grievance in writing and be heard and resolved in a timely manner. If client has a complaint about the services, the Victim Assistance Coordinator or any office policy or procedure they will be able to file any grievances and complaints about the HCDA-VU Program to **RICARDO RODRIGUEZ, JR, HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY at (956) 318-2300.**

This policy shall take effect as of, _____, and can be modified as need with the approval of the Hidalgo County Criminal District Attorney and Commissioners Court. This policy shall be reviewed every two (2) and modified as needed.