

COUNTY of HIDALGO



EDINBURG, TEXAS 78539

HIDALGO COUNTY AUDITOR'S OFFICE
Hidalgo County Administration Building
2808 South Business Highway 281
Edinburg, Texas 78539-6243
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBSITE: www.co.hidalgo.tx.us/auditor

November 13, 2015

The Honorable Ramon Garcia, Hidalgo County Judge
The Honorable A.C. Cuellar Jr., Commissioner, Precinct No. 1
The Honorable Eduardo "Eddie" Cantu, Commissioner, Precinct No. 2
The Honorable Jose M. Flores, Commissioner, Precinct No. 3
The Honorable Joseph Palacios, Commissioner, Precinct No. 4

RE: Certification of Revenue

Dear Judge and Commissioners:

Pursuant to Local Government Code § 111.0706 SPECIAL BUDGET FOR GRANT OR AID MONEY:


The county auditor shall certify to the commissioners court the receipt of all public or private grant or aid money that is available for disbursement in a fiscal year but not included in the budget for that fiscal year. On certification, the court shall adopt a special budget for the limited purpose of spending the grant or aid money for its intended purpose.

I, Ray Eufracio, County Auditor of Hidalgo County, certify to the Hidalgo County Commissioners Court the receipt of an award from the Office of the Governor-Criminal Justice Division. These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

AMOUNT
\$264,476.04

PURPOSE
Grant No. 2924301 Hidalgo County DA's Office-Victim Assistance Program

CERTIFIED BY:



Raymundo Eufracio, CPA
Hidalgo County Auditor
Ray Eufracio, CPA
Hidalgo County Auditor

11/16/15

Date

HIDALGO COUNTY DISTRICT JUDGES

LUIS M. SMOLETTERRY
JUDGE, 92ND D.C.

RODOLFO DELGADO
JUDGE, 93RD D.C.

J. R. "BOBEY" FLORES
JUDGE, 129TH D.C.

ROSE GUERRA REYNA
JUDGE, 208TH D.C.

JUAN R. PARTIDA
JUDGE, 275TH D.C.

MARIO E. RAMIREZ, JR.
JUDGE, 332ND D.C.

NOE GONZALEZ
JUDGE, 370TH D.C.
OVERSEER

LETICIA LOPEZ
JUDGE, 389TH D.C.

AIDA SALINAS FLORES
JUDGE, 398TH D.C.

ISRAEL RAMON, JR.
JUDGE, 430TH D.C.

JESSE CONTRERAS
JUDGE, 449TH D.C.

AI-52115

District Attorney 8. B.

CC - REGULAR

Meeting Date: 11/17/2015

Submitted By: Ramiro Sendejo, DISTRICT
ATTORNEY

Department: DISTRICT ATTORNEY

Information

CAPTION

1. Approval of certification of revenues as certified by the County Auditor for the FY 2016-2017 Victim Assistance Program.
2. Approval to appropriate the FY 2016-2017 Victim Assistance Program grant funds.
3. Approval to appropriate HB65 funds.
4. Approval of the following personnel actions:

Slot#	Dept	Position Title	Proposed Salary/Allowance
G001	080-017	Advocate I	\$33,000.00
G002	080-017	Advocate I	\$33,000.00
G003	080-017	Assistant District Attorney II	\$58,100.00
A141	080-007		\$900.00

5. Approval of the salary schedule in accordance with Commissioners Court approval.

BACKGROUND

Funding is provided by the Office of the Governor Criminal Justice Division. Cash Match is required.

Approval to apply & resolution were approved by Commissioners' Court on February 17, 2015, Agenda Item #48497

Approval to accept was approved by Commissioners' Court on September 29, 2015, Agenda Item #51339

Congratulatory Letter & Certification of Assurances were presented with Agenda Item #51339

Fiscal Impact

FISCAL YEAR: 2015

ACCT. #: 5-1281-412-00-080-017-5-XXX

FUNDS AVAILABLE Y/N?: Y

MATCHING FUNDS Y/N?: Y

BUDGETARY IMPACT:

Victim Assistance Program Grant Award=\$264,476.04
Required Local Match=\$66,119.03
County Fiscal Year: 2015
Grant Fiscal Year: 2015

Project Period: September 1, 2015 - September 30, 2017
Budget Period: September 1, 2015 - September 30, 2017

FISCAL YEAR: 2015

ACCT. #: 5-1223-412-00-080-007-0-118

FUNDS AVAILABLE Y/N?: Y **MATCHING FUNDS Y/N?:**

BUDGETARY IMPACT:

Appropriation of funds from HB65 Fund Balance.

Attachments

JOB DESCRIPTION ADVOCATE
CONDITIONS MEMO/GRANTEE RESPONSIBILITIES
APPROPRIATION
JOB DESCRIPTION ADA
Fiscal Note
Appropriation

Form Review

Inbox	Reviewed By	Date
Budget & Management	Veronica Ortiz	11/12/2015 11:38 AM
Manuel Chapa	Veronica Ortiz	11/12/2015 12:46 PM
Purchasing Department	Monica Badillo	11/13/2015 10:15 AM
Form Started By: Ramiro Sendejo		Started On: 11/04/2015 10:49 AM
Final Approval Date: 11/13/2015		

Minerva Diaz

From: Ramiro Sendejo [ramiro.sendejo@da.co.hidalgo.tx.us]
Sent: Friday, November 13, 2015 11:50 AM
To: 'Minerva Diaz'
Cc: 'deborah fischer'
Subject: CERTIFICATION OF REVENUES-VICTIM ASSISTANCE PROGRAM (VAP) GRANT # 2924301
Attachments: Congratulatory Letter.pdf; SOGA 2924301.pdf

Good Afternoon Minerva,

Please process a Certification of Revenue in the amount total amount of \$264,476.04 for the Victim Assistance Program (VAP) grant effective 09/01/2015 thru 09/30/2017. Attached is the Award Letter and Statement of Grant Award.

Agenda Item #AI-52115 will be presented to Commissioners Court requesting acceptance of these funds on November 24, 2015.

If you have any questions please let me know.

Thank You,

Ramiro Sendejo
Accountant
Administration Section
Office of Criminal District Attorney
Hidalgo County, Texas
100 N Closner, 5th Floor
Edinburg, TX 78539
(956) 292-7604 ext. 8082
(956) 318-2078 FAX
ramiro.sendejo@da.co.hidalgo.tx.us

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DATE: November 12, 2015

DEPARTMENT HEAD: Sergio Cruz, Budget Officer

2015

Appropriation
A1-52115

DEPARTMENT NAME: Department of Budget & Management for DA Investigation HB65

ACCOUNT NUMBER: 5-1223-412-00-080-007-0-XXX



Contact Person: Patricia Ramos Ph#: (956) 292-7025 ext 5416

SUBJECT: **Budget Amendments (increase (decrease)) in accordance with Local Government Code, Chapter 111, § 111.070, Item C (2).**

Honorable Commissioners' Court of Hidalgo County:

I would like to request the following Budget Amendments (increase (decrease)) in accordance with Local Government Code, Chapter 111, § 111.070, Item C (2).

INCREASE ACCOUNT NUMBER(S)		ACCOUNT (OBJECT) NAME		AMOUNT
5-1223-412-00-080-007-0-	118	DA Investigation HB65-	Auto Allowance	900.00
TOTAL BUDGET INCREASE (DECREASE)				900.00

REASON: To appropriate funding for auto allowance for Assistant District Attorney II slot no. A141. Monies to be taken from the unassigned fund balance for Fund 1223 (Acct # 5-1223-258-00-000-000-0-000).

DEPARTMENT HEAD SIGNATURE

APPROVED COMMISSIONERS' COURT

DATE

ATTEST COUNTY CLERK

1st Fiscal Year

Slot #	Object Position Title	Prorated 11/16/2015-12/31/2015										Total Salaries & Fringe Benefits
		Annualized Budgeted Salary	Prorated Salary	Health Ins.	Life Ins.	FICA	Retire.	Unemp. Comp.	Worker's Comp.	Total Fringe Benefits		
001	113 Advocate I	33,000.00	4,219.83	5,928.00	37.56	7.65%	10.63%	0.09%	1,567.05	5,786.88	5,786.88	
001	113 Advocate I	33,000.00	4,219.83	761.00	4.70	322.82	448.57	25.32	4.64	1,567.05	5,786.88	
003	113 Asst. Dist. Atty I	59,843.00	7,429.46	761.00	4.70	322.82	448.57	25.32	4.64	1,567.05	9,956.01	
	TOTALS	127,823.00	15,868.12	2,223.00	14.10	1,213.99	1,066.89	95.22	17.45	5,310.65	21,778.77	

Prorated 11/2016-06/30/2016											Total Salaries & Fringe Benefits
Annualized Budgeted Salary + COLA	Prorated Salary	Health Ins.	Life Ins.	FICA	Retire.	Unemp. Comp.	Worker's Comp.	Total Fringe Benefits			
33,990.00	22,399.54	4,112.00	25.04	1,713.56	2,381.07	134.40	12.75	8,378.82	30,778.36		
33,990.00	22,399.54	4,112.00	25.04	1,713.56	2,381.07	134.40	12.75	8,378.82	30,778.36		
39,843.00	39,666.05	4,112.00	25.04	3,034.45	4,216.50	238.00	22.45	11,668.44	51,316.49		
127,823.00	84,465.13	12,336.00	75.12	6,481.57	9,976.64	506.80	47.95	26,406.08	112,871.21		

2nd Fiscal Year

Slot #	Object Position Title	Prorated 9/1/2016-12/31/2016										Total Salaries & Fringe Benefits
		Annualized Budgeted Salary	Prorated Salary	Health Ins.	Life Ins.	FICA	Retire.	Unemp. Comp.	Worker's Comp.	Total Fringe Benefits		
001	113 Advocate I	33,990.00	11,330.00	6,168.00	37.56	7.65%	10.56%	0.11%	4,220.09	15,550.09	15,550.09	
001	113 Advocate I	33,990.00	11,330.00	2,056.00	12.52	866.75	1,204.38	67.98	12.46	4,220.09	15,550.09	
003	113 Asst. Dist. Atty I	59,843.00	19,947.67	2,056.00	12.52	1,526.00	2,120.44	119.69	21.64	5,652.29	25,803.96	
	TOTALS	127,823.00	42,607.67	6,168.00	37.56	3,259.50	4,529.20	255.65	46.56	14,396.47	56,904.14	

Prorated 11/2017-9/30/2017											Total Salaries & Fringe Benefits
Annualized Budgeted Salary + COLA	Prorated Salary	Health Ins.	Life Ins.	FICA	Retire.	Unemp. Comp.	Worker's Comp.	Total Fringe Benefits			
35,009.70	26,324.77	4,626.00	28.17	2,009.68	2,791.15	157.55	14.44	9,625.98	35,950.76		
35,009.70	26,324.77	4,626.00	28.17	2,009.68	2,791.15	157.55	14.44	9,625.98	35,950.76		
61,638.26	46,228.71	4,626.00	28.17	3,536.49	4,914.11	277.37	25.42	13,407.56	59,636.27		
131,657.66	98,878.25	13,878.00	84.51	7,556.85	10,499.41	992.47	54.38	32,659.54	131,337.79		

Total Salaries 241,820.17
 Total Health Ins. 34,665.00
 Total Life Ins. 211.29
 Total FICA 18,488.91
 Total Retire. 25,691.14
 Total Unemp. Comp 1,450.14
 Total Workers Comp 166.26
Grand Total 322,492.91

**HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY
VICTIM ADVOCATE
JOB DESCRIPTION**

Job Description: Coordinates support services and information to crime victims, and their families in compliance with the Texas Code of Criminal Procedure; Ensures that crime victims and/or their families are afforded the rights granted to victims by the Texas Code of Criminal Procedure. Prepares all needed information required for presentation of the victim's court case. Position requires a high level of confidentiality. Under the supervision of the Hidalgo County Criminal District Attorney's Office: Victims Unit Program Director.

Examples of Work Performed:

1. Prepares victims for interviews with prosecutors and provides court accompaniment
2. Conducts assessment of victim and family needs and makes appropriate referrals for on-site or off-site services to medical, mental health services, and community based victim services.
3. Assists victims in applying for Crime Victims Compensation (CVC) and follows up with the CVC claims and procedures.
4. Assists victims in registering for the VINE system (Victim Information Notification Every Day) in an effort to keep victim informed of the criminal justice process.
5. Provides crisis intervention and peer counseling as needed.
6. Assists and explains to victims the Court Order Restitution process
7. Notifies victims of court proceedings and case dispositions as needed to include Indictment Notification and Restitution Hearings.
8. Provides and explains Victims' Rights under Texas Code of Criminal Procedure Chapter 56.
9. Assists victims with submitting Victim Impact Statements
10. Refer victim for post sentence services with the Texas Department of Criminal Justice
11. Assists victims with referrals for legal services and legal remedies available
12. Assists attorneys with case staffing; ensures all cases are assigned as necessary
16. Duties may require travel to and from different locations inside and outside the county
- .17. Performs related work as assigned

Experience and/or Education:

1. Bachelor's degree in psychology, social work, criminal justice or related field or
2. Five years experience in a social service agency, preferably dealing with victims of sexual assault, domestic violence, crimes against children, survivors of homicide victims, and other violent crimes.

**HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY
VICTIM ADVOCATE
JOB DESCRIPTION**

3. Experience and ability to respond in a supportive way to people in crisis situations.
4. Knowledge of domestic violence, sexual assault, and child abuse dynamics
5. Working knowledge of Texas laws pertaining to domestic violence and sexual assault, Texas Code of Criminal Procedure Chapter 56 & 42, as well as the justice system's response to these crimes
6. Familiarity with the network of social and legal services, resources and procedures available in Hidalgo County area

Other Requirements:

1. adequate personal health, social maturity, and emotional stability to fulfill the functions of the position
2. Knowledge, Skills and Abilities
3. Ability to maintain full confidentiality about victims and their families
4. Must follow strict rules regarding the gathering, decimating, and storage sensitive crime victims' documents, reports, and other information
5. Ability to read, analyze and interpret general business periodicals, professional journals, technical procedures, or government regulations
6. Ability to read, write and speak both English and Spanish
7. Ability to write generalized report
8. Excellent interviewing and counseling skills
9. Ability to plan and organize effectively
10. Ability to establish and maintain effective working relationships with other county employees and officials, representatives of victim/witness advocacy and assistance groups, court personnel, attorneys and the general public
11. Ability to effectively present information and respond to questions from groups, supervisors and the general public
12. Ability to maintain full confidentiality concerning victims and their families
13. Ability to respond with sensitivity and awareness to victims of crime
14. Experience preparing summary reports, chronologies, and analyses of medical records

Computer Skills

1. Must have some personal computer knowledge
2. Ability to learn new computer software
3. Must be familiar with MS Windows products
4. Must have experience with word processing and general knowledge of personal computers

Computer proficiency in Microsoft Word, Excel and Publisher and be familiar with other MS Windows products and related software

**HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY
VICTIM ADVOCATE
JOB DESCRIPTION**

5. Comfortable using newer technologies such as governmental apps and databases

Certifications

1. Registration, Certification, and Licensure Applicant must have a current valid Texas operator's driver's license
2. Must be able to be insured by the County's insurance carrier

THIS IS A SECURITY SENSITIVE POSITION –

1. Position requires gathering, disseminating and storing sensitive crime victim's documents and offense reports .*BACKGROUND INVESTIGATION IS REQUIRED FOR THIS POSITION*



GOVERNOR GREG ABBOTT

Required Conditions for Criminal Justice Division Grant Recipients

Congratulations on your grant award from Governor Greg Abbott's Criminal Justice Division (CJD). In this document you will find requirements that apply to your grant, state and federal requirements for grantees, and conditions for uses of grant funds.

These requirements are in addition to those that can be found on the eGrants system, to which you agreed when applying for the grant. Other state and federal laws and federal conditions of funding may apply to your grant. In particular, please see the Office of Justice Programs Financial Guide; 2 CFR 200 (federal regulations governing grant requirements); Title 1, Part 1, Chapter 3 (Criminal Justice Division) of the Texas Administrative Code; the Texas Uniform Grant Management Standards (UGMS); and the CJD Guide to Grants.

It is important to review all of these policies to successfully manage your grant, maintain eligibility for funding, and avoid violating the terms of your grant, any of which could result in the revocation of your funding or other actions. Many of these requirements are also based in state or federal law.

Requirements for All Grant Recipients

CJD requires all grantees to follow the below requirements, which are from federal laws or regulations, state law, or CJD policy, or a combination of these. The requirements are mandatory for every recipient of every grant from CJD. For background or further information, see the documents, laws and regulations cited above and individual footnotes for the requirements below, or contact CJD.

General Requirements

These requirements are for all grantees with any type of project.

Financial reporting – Financial Status Reports must be submitted to CJD via eGrants. Reports may be submitted monthly but must be submitted at least quarterly. Reports are due after each calendar quarter regardless of when the grant was awarded. Due dates are:

- April 22 (January-March quarter)
- July 22 (April-June quarter)
- October 22 (July-September quarter)
- January 22 (October-December quarter)

The final Financial Status Report must be submitted to CJD on or before the grant liquidation date or funds will lapse and CJD will provide them as grants to others who need the funding. Payments will be

generated based on expenditures reported in the reports. Upon CJD approval of the report, CJD will issue a payment through direct deposit or electronic transfer.

Required notifications – Grantees must immediately notify CJD in writing of any misappropriation of funds, fraud, theft, embezzlement, forgery, or any other serious irregularities indicating noncompliance with grant requirements. Grantees must notify the local prosecutor's office of any possible criminal violations. Grantees must immediately notify CJD in writing if a project or project personnel become involved in any litigation, whether civil or criminal, and the grantee must immediately forward a copy of any demand notices, subpoenas, lawsuits, or indictments to CJD. If a federal or state court or administrative agency renders a judgment or order finding discrimination by a grantee based on race, color, national origin, sex, age, or handicap, the grantee agrees to immediately forward a copy of the judgment or order to CJD.

Generated program income – Any income generated as a direct result of the grant activities must be reported to CJD through the Financial Status Report and grant adjustment processes. Program income must be used to offset project costs unless CJD grants prior approval that allows a supplement to project costs. Program income must be expended prior to seeking payments from CJD and must be accounted and used for the purposes of the grant activities as awarded.

Equipment – Equipment purchased with grant funds must be used for the purpose of the grant and as approved by CJD. An inventory report must be kept on file containing all equipment purchased with any grant funds during the grant period. This report must agree with the approved grant budget and the final Financial Status Report. Additionally, equipment and software developed with funds awarded by the US Department of Justice (USDOJ) must be compliant with USDOJ information technology interface standards, including the National Criminal Intelligence Sharing Plan, the Global Justice XML Data Model, and the Law Enforcement Information Sharing Plan. A list of additional standards can be found at the OJP Standards Clearinghouse.

Project effectiveness – Grantees should regularly collect data to evaluate the effectiveness of their projects. This evaluation includes a reassessment of project activities and services to determine whether they continue to be effective. Grantees must show that their activities and services effectively address and achieve the project's stated purpose.

Programmatic reporting – Grantees must submit required reports regarding grant information, performance, and progress towards goals and objectives in accordance with the instructions provided by CJD, or its designee. To remain eligible for funding, the grantee must be able to show the scope of services provided and their impact, quality, and levels of performance against approved goals.

Project commencement time deadlines - Grantees must take reasonable steps to commence project activities upon receiving notice of a grant award:

- **Commencement within 60 days.** If a project is not operational within 60 days of the original start date of the award period or grant award date as noted on this memorandum, whichever is later, the grantee must report by letter to CJD the steps taken to initiate the project, the reasons for delay, and the expected revised start date.
- **Commencement within 90 days.** If a project is not operational within 90 days of the original start date of the award period or grant award date as noted on this memorandum, whichever is

later, the grantee must submit a second statement to CJD explaining the implementation delay. Upon receipt of the 90-day letter, CJD may cancel the project and redistribute the funds to other project areas. CJD may also, where extenuating circumstances warrant, extend the implementation date of the project past the 90-day period.

Project changes – Grantees may submit a request for grant adjustment via eGrants for any proposed budgetary or programmatic changes, including updating contact information for grant officials.

Supplanting funds – Awarded funds must be used to supplement existing funds for program activities and not replace (supplant) funds that have been appropriated or allocated for the same purpose. Grant monitors and auditors will look for potential supplanting during reviews. Violations may result in a range of penalties, including suspension of future funds, suspension or debarment from receiving federal or state grants, recoupment of monies provided under the grant, and civil or criminal penalties. For additional information on supplanting, refer to the Guide to Grants at <https://eGrants.gov.texas.gov/updates.aspx>.

Funding Eligibility Conditions

These conditions are required to be maintained in order to obtain and retain eligibility for grants administered by CJD.

Non-profit grant recipients: proof of status – CJD and U.S. Department of Justice policy is that a non-profit who receives a grant must be prepared to demonstrate its non-profit status through one of four methods:

1. Submission of proof of 501(c)(3)
2. Submission of a statement from the state taxing authority or state Secretary of State, or other similar official certifying that the organization is a non-profit operating within the state, and that no part of its net earnings may lawfully benefit any private shareholder or individual.
3. Submission of a certified copy of the applicant's certificate of incorporation or similar documents.
4. Submission of any item above, if that item applies to a state or national parent organization, together with a statement by the state or parent organization that the applicant is a local non-profit affiliate.

There are additional requirements for recipients of Juvenile Justice and Delinquency Prevention Act grant recipients. See the section on special requirements for that grant for more details. All non-profit sub recipients of formula funds provided under the Juvenile Justice and Delinquency Prevention Act must have a 501(c)(3) status recognized by the Internal Revenue Service.

Non-profit grant recipients: maintaining a fidelity bond – Each nonprofit corporation receiving funds from CJD must obtain and have on file a blanket fidelity bond that indemnifies CJD against the loss or theft of the entire amount of grant funds, including matching funds. The fidelity bond should cover at least the CJD grant period.

Public information requests - Grantees must immediately notify and provide a copy to CJD of any Public Information Request received by the agency related to this grant award.

Conflict of interest safeguards – Grantees should have in place established safeguards to prohibit employees from using their positions for a purpose that is, or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

Grant-funded personnel – Staff whose salaries are supported by this award must be made aware that continued funding is contingent upon the availability of appropriated funds as well as the outcome of the annual application review conducted by CJD.

Contracting and procurement – Grantees must follow their established policy and best practices for procuring goods or services with grant funds. Contracts must be routinely monitored for delivery of services or goods. When contractual or equipment procurement is anticipated to be in excess of \$150,000, grantees must submit a Procurement Questionnaire to CJD (available at <https://eGrants.gov.texas.gov/updates.aspx>) for approval prior to procurement.

Travel – Grantees must follow their established policies and good fiscal stewardship related to travel expenses. If the grantee does not have established policies regarding in-state and out-of-state travel, grantee must use the travel guidelines established for state employees.

Uniform Crime Reporting – Local units of governments receiving funds from CJD must comply with all requirements for uniform crime reporting and must ensure that prompt reporting will remain current throughout the grant period.

Criminal history reporting by counties and other governmental entities – Counties or other governmental entities required to maintain and report criminal history records the Texas Code of Criminal Procedure, Ch. 60, must maintain compliance with that statute in order to obtain or maintain eligibility for CDJ grant funds.

For-profit grant recipients: special conditions – It is CJD and OJP policy that for-profit organizations must agree not to make a profit as a result of an award and not to charge a management fee for the performance of an award. Also, commercial organizations must agree to comply with the contract cost principles of subpart 31.2 of the Federal Acquisition Regulations.

Monitoring – Grantees must readily make available to the Governor's Office or its agents all requested records. The Governor's Office may make unannounced monitoring visits at any time. The grantee must make every effort to address and resolve all issues, findings, or actions identified within the time frame specified by the Governor's Office through a Corrective Action Plan.

Law enforcement programs – Law enforcement programs receiving funds from CJD must be in compliance with all rules developed by the Texas Commission on Law Enforcement.

Overtime pay: Prior approval and conditions required - Overtime is allowable to the extent that it is included in the CJD approved budget, the grantee agency has an overtime policy approved by its governing body, and both grant-paid and non-grant paid personnel are treated the same with regards to the application of overtime policy(ies). Additionally, in no case is dual compensation allowable. That is, an employee of a grantee agency may not receive compensation for hours worked (including paid leave) from his/her agency AND from an award for a single period of time, even though such work may benefit

both activities. Overtime payments issued outside of these guidelines are the responsibility of the grantee agency.

Prohibited political acts of agencies and individuals - Grant funds may not be used in connection with the following acts by agencies or individuals employed by grant funds:

- Grant funds may not be used to finance or otherwise support the candidacy of a person for an elected local, state, or federal office. This prohibition extends to the direct or indirect employment of a person to perform an action described by this subsection. In addition, grant-funded or grant-leased motor vehicles may not be used for the purpose described above.
- Grant officials or grant funded employees may not use official authority or influence or permit the use of a program administered by the grantee agency of which the person is an officer or employee to interfere with or affect the result of an election or nomination of a candidate or to achieve any other political purpose.
- Grant-funded employees may not coerce, attempt to coerce, command, restrict, attempt to restrict, or prevent the payment, loan, or contribution of anything of value to a person or political organization for a political purpose.

Employment of a lobbyist - Grant funds may not be used to employ, as a regular full-time or part-time or contract employee, a person who is required by Chapter 305 of the Government Code to register as a lobbyist. Furthermore, grant funds may not be used to pay, on behalf of the agency or an officer or employee of the agency, membership dues to an organization that pays part or all of the salary of a person who is required by Chapter 305 of the Government Code to register as a lobbyist.

Legislative lobbying - Grant funds may not be used to attempt to influence the passage or defeat of a legislative measure.

Use of alcoholic beverages - Grant funds may not be used to compensate an officer or employee who uses alcoholic beverages on active duty. Additionally, grant funds may not be used to purchase an alcoholic beverage or to pay or reimburse a travel expense that was incurred for an alcoholic beverage.

Intellectual property – DOJ and CJD reserve certain rights with respect to data, patentable inventions, works subject to copyright, and other intellectual property associated with an award of Federal funds. See 28 CFR 66.34, and 37 CFR Part 401.

Limited English proficiency – Grantees must take reasonable steps to ensure that persons with limited English proficiency have meaningful access to services. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. Additional information on this requirement can be found at <http://www.lep.gov>.

Inherently religious activities – A grantee may not use grant funding to engage in inherently religious activities, such as proselytizing, scripture study, or worship. Grantees may, of course, engage in inherently religious activities; however, these activities must be separate in time or location from the federally assisted program. Moreover, grantees must not compel program beneficiaries to participate in inherently religious activities. Grantees must also not discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief in the delivery of services or

benefits funded by the grant. These requirements apply to all grantees, not just faith-based organizations.

Copyrights and licenses for data and other works – CJD [and the Office of Justice Programs (OJP), if the work is funded with a federal grant] reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for state [or Federal] purposes:

- (1) any work subject to copyright developed under an award or subaward; and
- (2) any rights of copyright to which a recipient or sub recipient purchases ownership with state [or Federal support].

The recipient acknowledges that CJD [and OJP] have the right to

- (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and
- (2) authorize others to receive, reproduce, publish or otherwise use such data for state [or federal] purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.22714 (Rights in Data- general).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award. The recipient has the responsibility to obtain from sub recipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed sub recipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the CJD program manager for the award and not proceed with the agreement in question without further authorization from CJD.

Records must be made available upon request – The grantee authorizes CJD – and, if grant funds are from federal sources, the relevant federal office – and its representatives access to and the right to examine all records, books, papers, or documents related to the grant.

Project-Specific Requirements

These requirements only apply to grantees using funds for specific activities or types of projects. Review the requirements below to see if they apply to your grant.

Research involving human subjects: required procedures – If the grantee uses grant funds to undertake research involving human subjects, the grantee may be subject to Department of Justice (DOJ) Office of Justice Programs (OJP) policies and requirements adopted by CJD related to human subjects found in 28 CFR Part 46. OJP has developed a decision tree to assist applicants in determining whether an activity they plan to undertake with grant funds constitutes research involving human subjects. DOJ and CJD regulations protect the human subjects of grant-funded research. In brief, 28 CFR Part 46 requires that most research involving human subjects that is conducted or supported by a Federal department or agency - and CJD by adoption – be reviewed and approved by an institutional Review Board (IRB), in accordance with the regulations, before funds are expended for that research. As a rule, persons who participate in grant-funded research must provide their "informed consent" and must be permitted to terminate their participation at any time. Funding recipients, before they will be allowed to spend OJP or

CJD funds on any research activity involving human subjects, must submit appropriate documentation to CJD showing compliance with 28 CFR Part 46 requirements. General Information regarding data confidentiality and Protection of Human Research Subjects (and Model Privacy Certificate and other forms) can be found at: <http://ojp.gov/funding/forms.htm>.

For grants of state funds over \$500,000: audit requirements – If the grantee expends more than \$500,000 in state funds in a fiscal year, the grantee may be subject to the State Single Audit Circular issued under the Uniform Grant Management Standards (UGMS) at: <http://www.window.state.tx.us/procurement/catrad/ugms.pdf>. UGMS is likely to be updated in 2015, and the threshold expenditure levels that trigger Single Audit requirements may increase. In order to ensure compliance, take care to note both the effective dates and expenditure levels. Grantees must electronically submit to the Governor’s Office copies of the results of any single audit conducted in accordance with the State Single Audit Circular issued under UGMS within 30 calendar days after the grantee receives the audit results or nine months after the end of the audit period, whichever is earlier.

Use of funds on conferences: guidance and restrictions – CJD does not allow grant funds to be used on non-emergency food, meals, beverages or other refreshments, such as those that might be provided at conferences. If the grantee uses grant funds for other expenses related to conferences, the grantee agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, trainings, and other events), including and costs of attendance at such events. More detailed policies and guidance can be found in the DOJ Office of Justice Programs 2015 Financial Guide, available at <http://ojp.gov/financialguide/DOJ/>. Note that CJD policies are more restrictive than federal guidance, and apply to all grant funds administered by CJD.

For any websites produced with grant funds – If the grantee uses grant funds to produce, in whole or in part, any website, the following statement must be placed on the home page, on all major entry pages (i.e. pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:

For websites produced with state (and no federal) grant funds - “This web site is funded [insert “in part”, if applicable] through a grant from the Criminal Justice Division of the Texas Office of the Governor. Neither the Office of the Governor nor any of its components operate, control, are responsible for, or necessarily endorse, this web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided).”

For websites produced with federal grant funds - “This web site is funded [insert “in part”, if applicable] through a grant from the Criminal Justice Division of the Texas Office of the Governor and the [insert name of Office of Justice Programs component, e.g. Office of Juvenile Justice and Delinquency Prevention], Office of Justice Programs, U.S. Department of Justice. Neither the Office of the Governor, the U.S. Department of Justice, nor any of their components operate, control, are responsible for, or necessarily endorse, this web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided).”

The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of funding and disclaimer," to the full text of the statement. The publication must not convey CJD or DOJ's official recognition or endorsement of the recipient's project simply based on having received funding.

Requirements for All Recipients of Federal Grants

CJD requires all grantees receiving federal grants to follow the below requirements in addition to those for recipients of all grants administered by CJD, as well as any requirements in state law and rules and federal laws and regulations. The requirements are mandatory for every recipient of federal JJDP administered by CJD. For background or further information, see the documents, laws and regulations cited at the beginning of this document and individual footnotes for the requirements below, or contact CJD or DOJ.

General Requirements for Federal Grants

These requirements are for all grantees receiving a federal grant with any type of project.

Equal Employment Opportunity Plans (for ALL recipients of federal grants - EVEN IF CLAIMING AN EXEMPTION) – All recipients of federal grants must either 1) develop and file an Equal Employment Opportunity Plan (EEOP) with the Department of Justice; OR 2) file a certification of exemption from EEOP requirements, if eligible. The Department of Justice has released a new EEOP Certification Form. Every recipient of a federal grant must now complete an EEOP Certification Form, even those that are exempt from filing an Equal Employment Opportunity Plan (EEOP).

If a grantee is required to submit an EEOP, that grantee must also file a Certification Form declaring that submission. The grantee must keep a copy of both the EEOP and the Certification Form on-file and available at any time upon request from CJD.

If a grantee is claiming an exemption from filing an EEOP, that grantee must complete the federal Certification Form for that exemption in order to be eligible for federal funds. Grantees must keep a copy of the Certification Form on-file and available at any time upon request from CJD.

EEOP guidance and the Certification Form for both filers and those claiming an exemption is available at: <http://ojp.gov/about/ocr/eeop.htm>

For grants of federal funds occurring in grantee fiscal years beginning before December 26, 2014 – Grantees expending more than \$500,000 in federal funds in a fiscal year part of a grant whose effective date falls within a grantee's fiscal year that begins before December 26, 2016 are subject to the Single Audit requirements set forth in OMB Circular No. A 133 at <http://www.whitehouse.gov/omb/circulars/index.html>. Grantees must electronically submit to the Governor's Office copies of the results of any single audit conducted in accordance with OMB Circular No. A-133 within 30 calendar days after the grantee receives the audit results or nine months after the end of the audit period, whichever is earlier.

For grants of federal funds occurring in grantee fiscal years beginning on or after December 26, 2014 – Grantees expending more than \$750,000 in federal funds in a fiscal year as part of a grant whose effective date falls within a grantee's fiscal year that begins on or after December 26, 2016 are subject to Single Audit Requirements in 2 CFR, Part 200, Subpart F – Audit Requirements, at http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl. Grantees must electronically submit to the Governor's Office copies of the results of any single audit conducted in accordance with 2 CFR, Part 200, Subpart F – Audit Requirements within 30 calendar days after the grantee receives the audit results or nine months after the end of the audit period, whichever is earlier.

E-Verify participation – If applicable, the grantee will comply with Executive Order RP-80 regarding the U.S. Department of Homeland Security’s E-Verify system.

Funding Eligibility Conditions for Federal Grants

These conditions are required to be maintained in order to obtain and retain eligibility for federal grants administered by CJD.

Restrictions on political activity – Unless specifically authorized to do so by federal law, grant recipients or their sub-grantees or contractors are prohibited from using federal grant funds for political purposes, including lobbying or advocating for legislative programs or changes; campaigning for, endorsing, or contributing to political candidates or parties; and voter registration or get-out-the-vote campaigns. Generally, organizations or entities which receive federal funds by way of grants, contracts, or cooperative agreements do not lose their rights as organizations to use their own, private, non-federal resources for “political” activities because of or as a consequence of receiving such federal funds. These recipient organizations must thus use private or other non-federal money, receipts, contributions, or dues for their political activities, and may not charge off to or be reimbursed from federal contracts or grants for the costs of such activities.

State and local government employees of grantees whose salaries are funded by funds from federal grants must comply with the federal Hatch Act (5 U.S.C. §§ 1501- 1508) which restricts the political activity of employees who work in connection with federally funded programs. Covered employees may not: 1) use their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office; or 2) directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

State and local government employees of grantees whose salaries are funded entirely, directly or indirectly, by federal funds may not be candidates for public office in a partisan election.

Cash compensation conditions - With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal governments Senior Executive Services (SES) at any agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of CJD and its federal funding agency.

Evidence-based programs or practices – OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates;
- Integrating evidence into program, practice, and policy decisions within OJP and the field; and
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's CrimeSolutions.gov website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

ACORN - Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or sub award to either the Association of Community Organizations for Reform now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

Texting & driving – Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by the distracted drivers.

Computer networks - The recipient understands and agrees that- (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

OJP Training Guiding Principles - The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Sub grantees, available at: <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>

Religious discrimination - The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

Consultant rate – Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day or \$81.25 per hour. A detailed justification must be submitted to and approved by CJD prior to obligation or expenditures of such funds. Although prior approval is not required for consultant rates below these specified amounts, grantees are required to maintain documentation to support all daily or hourly rates.

Applicability of Part 200 Uniform Requirements - The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform

Requirements, which were first adopted by DO) on December 26, 2014, supersede, among other things, the provisions of 28 C.R.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

Use of the “de minimis” indirect cost rate - A recipient that is eligible under the Part 200 Uniform Requirements to use the “de minimis” indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the “de minimis” indirect cost rate, must advise CJD in writing before any such funds are obligated of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The “de minimis” rate may be applied only to modified total direct costs (MTDC).

Project-Specific Requirements for Federal Grants

These requirements only apply to grantees using federal grant funds for specific activities or types of projects. Review the requirements below to see if they apply to your grant.

Intelligence database training - Any grant-funded individual responsible for entering information into or retrieving information from an intelligence database must complete continuing education training on operating principles described by 28 C.F.R. Part 23 at least once for each continuous two-year period that the person has responsibility for entering data into or retrieving data from an intelligence database.

DOJ Information Technology Interface Standards - As appropriate, all equipment and software developed under awards that result from this solicitation must be compliant with DOJ Information Technology Interface Standards, including the National Criminal Intelligence Sharing Plan, the Global Justice XML Data Model, and the Law Enforcement Information Sharing Plan. A list of additional standards can be found at the OJP Standards Clearinghouse.

Additional Requirements for Justice Assistance Grants (JAG)

CJD requires all grantees receiving federal Justice Assistance Grants (JAG) to follow the below requirements in addition to those for recipients of all grants administered by CJD and the requirements for all federal grants, as well as any requirements in state law and rules and federal laws and regulations. The requirements are mandatory for every recipient of federal JAG funds administered by CJD. For background or further information, see the documents, laws and regulations cited at the beginning of this document and individual footnotes for the requirements below, or contact CJD or DOJ.

Project-Specific Requirements for Federal JAG Funds

These requirements only apply to grantees using federal JAG funds for specific activities or types of projects. Review the requirements below to see if they apply to your grant.

Body armor purchases: mandatory wear policy – If a grantee uses JAG grant funds to purchase ballistic-resistant or stab-resistant body armor, the grantee must have a written “mandatory wear” policy in effect and submit a signed certification to that effect to CJD. This policy must be in place for at least all uniformed officers before any JAG funding can be used by the agency for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty.

Body armor purchases: matching fund restrictions – If a grantee uses JAG funds to purchase ballistic-resistant or stab-resistant body armor, the grantee may not use those funds as part of the 50% match requirement for purposes of the Bulletproof Vest Partnership (BVP) program.

Body armor purchases: acceptable models - If a grantee uses JAG funds to purchase ballistic-resistant or stab-resistant body armor, the body armor may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice (NIJ) Ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (<http://nij.gov>). Additionally, ballistic-resistant and stab-resistant body armor purchased must be American made. The latest NIJ standard information can be found here: <http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm>.

Purchase of unmanned aircraft: restrictions - No JAG funds may be expended on the purchase of unmanned aircraft, unmanned aircraft systems or unmanned aerial vehicles (UA/UAS/UAV), unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order. Any state or local jurisdiction receiving BJA approval to utilize JAG funds for this type of purchase must certify to DOJ that it received Federal Aviation Administration (FAA) approval to operate a UA/UAS/UAV and that it is legal to operate a UA/UAS/UAV in the proposed jurisdiction or geographic area. The recipient must submit a statement on the goals and objectives for the use of a UA/UAS/UAV, the anticipated specific uses, and policy regarding privacy considerations. BJA may require additional reporting requirements that will be stipulated post award.

Law enforcement information-sharing system projects: employing existing networks – If a grantee uses JAG funds for law enforcement information-sharing systems that involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of CJD and its federal funding agency that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system. The purpose of this requirement is to avoid duplicating similar, exiting networks or IT systems in other initiatives funded by federal grants.

Funding for Task Forces: online training required – If a grantee uses JAG funds to fund any member of a law enforcement task force, the grantee agrees that within 120 days of award acceptance, each current member of the task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the grant recipient. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership.

Technology projects: State Information Technology Point of Contact – If a grantee uses JAG funds on a technology project, the grantee must notify the State Information Technology Point of Contact of any information technology projects funded by this grant. This notification is to facilitate communication among local and state governmental entities regarding victim information technology projects being conducted with these grant funds. To reach the Texas Point of Contact at the Department of Public Safety, call 512-424-2524.

Additional Requirements for Juvenile Justice and Delinquency Prevention (JJDP) Grants

CJD requires all grantees receiving federal Juvenile Justice and Delinquency Prevention (JJDP) grants to follow the below requirements in addition to those for recipients of all grants administered by CJD and the requirements for all federal grants, as well as any requirements in state law and rules and federal laws and regulations. The requirements are mandatory for every recipient of federal JJDP grant funds administered by CJD. For background or further information, see the documents, laws and regulations cited at the beginning of this document and individual footnotes for the requirements below, or contact CJD or DOJ.

General Requirements for Federal JJDP Grants

These requirements are for all grantees receiving a federal JJDP grant with any type of project.

General compliance with US DOJ regulations - The recipient agrees to comply with all Formula Grant Program requirements as outlined in the Juvenile Justice and Delinquency Prevention Act of 2002, the applicable guidelines, the certified assurances; and the most recent OJJDP Formula Grants Consolidated Regulation (28 CFR Part 31), to the extent that those regulations are not in conflict with those listed here or on eGrants.

Funding Eligibility Conditions for Federal JJDP Grants

These conditions are required to be maintained in order to obtain and retain eligibility for federal JJDP grants administered by CJD.

Non-profit grant recipients: proof of status –U.S. Department of Justice policy states that a non-profit that receives a grant must be prepared to demonstrate its non-profit status through submission of proof of 501(c)(3) status recognized by the Internal Revenue Service.

Additional Requirements for Violence Against Women Act (VAWA) Grants

CJD requires all grantees receiving federal Violence Against Women Act (VAWA) grants to follow the below requirements in addition to those for recipients of all grants administered by CJD and the requirements for all federal grants, as well as any requirements in state law and rules and federal laws and regulations. The requirements are mandatory for every recipient of federal VAWA grant funds administered by CJD. For background or further information, see the documents, laws and regulations cited at the beginning of this document and individual footnotes for the requirements below, or contact CJD or DOJ.

Funding Eligibility Conditions for Federal VAWA Grants

These conditions are required to be maintained in order to obtain and retain eligibility for federal VAWA grants administered by CJD.

Legal assistance eligibility – The grantee agrees that the legal assistance eligibility requirements, as set forth below, are a continuing obligation on the part of the grantee. The legal assistance eligibility requirements are: (1) any person providing legal assistance through a program funded under this Grant 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) (i) is partnered with an entity or person that has demonstrated expertise and described in subparagraph (A); and (ii) has completed or will complete training in connection with domestic violence, stalking or sexual assault 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) and 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 State, local, territorial and tribal law enforcement officials; (3) any person or organization providing legal assistance through this program has informed and will continue to inform State, local, territorial or tribal domestic violence, dating violence, stalking or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work; and (4) the grantee’s organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, dating violence, domestic violence, stalking or child sexual abuse is an issue.

Project-Specific Requirements for Federal VAWA Grants

These requirements only apply to grantees using federal VAWA grant funds for specific activities or types of projects. Review the requirements below to see if they apply to your grant.

Restricted uses of grant funds - The grantee agrees that grant funds will not be used to support the purchase of standard issued law enforcement items, such as uniforms, safety vests, shields, weapons, bullets, and armory or to support chemical dependency or alcohol abuse programs that are not integral part of a court-mandated batterer intervention program.

Additional Requirements for Victims of Crime Act (VOCA) Grants

CJD requires all grantees receiving federal Victims of Crime Act (VOCA) grants to follow the below requirements in addition to those for recipients of all grants administered by CJD and the requirements for all federal grants, as well as any requirements in state law and rules and federal laws and regulations. The requirements are mandatory for every recipient of federal VOCA grant funds administered by CJD. For background or further information, see the documents, laws and regulations cited at the beginning of this document and individual footnotes for the requirements below, or contact CJD or DOJ.

General Requirements for Federal VOCA Grants

These requirements are for all grantees receiving a federal VOCA grant with any type of project.

Reporting requirements – CJD anticipates substantial changes in performance measure reporting requirements to be issued by the Department of Justice at some point in FY 2016. These changes will apply to grants already in-progress in FY 2016, and may include changes not only in the content of reports, but also in the method of collection. CJD will work with grantees to make the transition as smooth as possible, but by accepting VOCA grant funds, the recipient agrees to whatever changes in reporting requirements CJD issues during FY 2016.

Intake process – The grantee will create and implement a system that will identify, at intake, which clients are eligible for VOCA grant-funded services. Eligible clients are limited to the qualifying victim population as defined in the VOCA grant process.

Judicial notification - A state or unit of local government shall not be entitled to funds under this grant unless it:

- Certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related federal, state, or local laws; or
- Gives the Attorney General assurances that its judicial administrative policies and practices will be in compliance with the requirements of subparagraph (A) within the later of—
 1. The period ending on the date on which the next session of the State legislature ends; or
 2. January 5, 2008.

Recipient demographic information – The grantee must collect and maintain information on race, sex, national origin, age, and disabilities of recipients, where such information is voluntarily furnished by those receiving assistance.

For non-profits, required posting of financial documents – A grantee that is a non-profit organization but is not a 501(c)(3) organization finally certified by the Internal Revenue Service must make its financial statements available online.

Funding Eligibility Conditions for Federal VOCA Grants

These conditions are required to be maintained in order to obtain and retain eligibility for federal VOCA grants administered by CJD.

Federal VOCA program guidelines – Grantees must comply with applicable provisions of the VOCA Final Program Guidelines VOCA, FY 1997 Victim Assistance Program.

National Historic Preservation Act (NHPA) – VOCA grant funds administered by CJD are generally ineligible to be used in the renovation of buildings unless specifically authorized in the grant award.

Qualifying populations – The grantee will adhere to VOCA Victim’s Assistance Grant Program guidelines, which require that VOCA funds are used to serve the (specific) qualifying population, which is defined as victims of an offense that violates a federal or state criminal statute or regulation or the victims of crimes that occur in a geographic area which is under federal legal jurisdiction.

Reporting mis-use of grant funds - The recipient and any subrecipients must promptly refer to CJD any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds.

Certification of non-profit status – By accepting funds under this award, any non-profit grantee certifies and affirmatively asserts that it is a non-profit organization and that it keeps on file, and is available upon audit, either:

1. a copy of the recipient’s S01(c)(3) designation letter;
2. a letter from the State of Texas stating that the recipient is a non-profit organization operating within Texas; or
3. a copy of the grantee’s Texas certificate of incorporation that substantiates its non-profit status.

Grantees that are local non-profit affiliates of state or national non-profits should have available proof of (1), (2), or (3), and a statement by the state or national parent organization that the recipient is a local non-profit affiliate.

Restrictions and certifications regarding non-disclosure agreements and related matters - No recipient or subrecipient under this award, or entity that receives a contractor subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a state or federal department or agency authorized to receive such information.

The foregoing is not intended to contravene requirements applicable to Standard Form 312 (which relates 10 classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient:
 - a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to CJD, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that federal agency.
2. If the recipient does or is authorized to make subawards or contracts under this award:
 - a. it represents that:
 - i. it has determined that no other entity that the recipient's application proposes may receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - ii. it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
 - b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to CJD, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by CJD.

Compliance with Victims of Crime Act - The recipient assures that it and its subrecipients will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and

(2), 42 U.S.C. 10603(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required. Specifically, the recipient certifies:

- a) that it is an eligible victim assistance organization, 42 U.S.C. 10603(a)(2); and
- b) that funds under this award will not be used to supplant State and local public funds that would otherwise be available for crime victim assistance, 42 U.S.C. 10603(a)(2).

Project-Specific Requirements for Federal VOCA Grants

These requirements only apply to grantees using federal VOCA grant funds for specific activities or types of projects. Review the requirements below to see if they apply to your grant.

Specific legal services – Victims of an offense that violates a federal or state criminal statute may be eligible for grant funded legal services. All legal assistance will work specifically in the interest of assisting the victim with issues arising from the (original or specific) offense that created the victim status.

HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE

ASSISTANT DISTRICT ATTORNEY II

GENERAL DESCRIPTION

Employee performs legal work. Work involves prosecuting and defending all manner of civil and criminal matters in various levels of trials and appellate courts and administrative forums. Work under the frequent supervision of higher level attorneys in an effort to build the knowledge, skills, and expertise necessary.

EXAMPLES OF WORK PERFORMED

Will make decisions and/or counsels with clients, victims, or police concerning the commencement of proceedings in court or related forums

May also provide written or oral legal advice to individual or governmental clients, and draft legal instruments or other written materials carrying legal implication

Appears in court and/or related forums to select juries, present and cross-examine evidence, make legal arguments, and act as an oral advocate

Drafts and files pleadings, answering motions, briefs and responses necessary to conduct litigation and/or proceedings in related forums

Investigate facts giving rise to legal issues, and bring about solutions to their clients legal problems in a variety of forums

Counsels and advises clients within bounds of confidentiality, when applicable, regarding legal issues in all phases of litigation

Identifies, locates, and prepares witnesses to present testimony effectively in court or related forums

Identifies and prepares non-testimonial forms of evidence for use in court and related forums

Conducts and/or supervises investigations and/or civil and criminal discovery proceedings

Drafts legal instruments and various documents with legal implications

Negotiates with others to settle litigation or other contested matters or to assist in solving problems with legal implications

Develops knowledge and expertise in applicable area of law to keep pace with constant developments and to impart this knowledge and skills to others in various settings

Performs related work as assigned

GENERAL QUALIFICATION GUIDELINES

Experience and Education

Experience in legal setting with prior experience in the relevant areas of law

Juris Doctorate (JD) degree

Licensed to practice law in the State of Texas and be a member in good standing of the State Bar of Texas

Experience and education may be substituted for one another

Knowledge, Skills, and Abilities

Ability to work efficiently and effectively in high-pressure situations

Ability to communicate effectively

Must be computer literate

Knowledge of all applicable laws and procedures

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this job, the employee is regularly required to talk or hear. The employee frequently is required to stand. The employee is occasionally required to walk; sit; use hands to find, handle, or feel objects, tools or controls; reach with hands and arms; climb or balance; stoop and kneel.

The employee must occasionally lift and/or move over 25 pounds. Specific vision abilities required by this job include close vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounter while performing the essential functions of this job.

The noise level in the work environment is usually moderate.

SAFETY REQUIREMENTS:

Maintain physical conditions appropriate to the performance of assigned duties and responsibilities which may include the following:

- sitting for extended periods of time
- operating assigned equipment

Maintain mental capacity which permits:

- making sound decisions and using good judgment
- demonstrating intellectual capabilities

Effectively handle a work environment and conditions which involve:

- working closely with others
- working in a multi-task environment

Maintain effective audio-visual discrimination and perception needed for:

- making observations
- reading and writing
- operating assigned equipment
- communication with others
- required to follow the Hidalgo County Accident Prevention Plan and department's safety regulations