

U.S. Department of Justice
Office on Violence Against Women (OVW)



OVW Fiscal Year 2011 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program

Eligibility

Applicants are limited to States, units of local government, Indian Tribal governments, and State, local, Tribal, and Territorial courts.
(See "Eligibility," page 4)

Deadline

To ensure all applicants have ample time to complete the registration process through Grants.Gov, applicants should register online with Grants.gov by **February 8, 2011**.
All applications are due by **11:59 p.m. E.T. on February 24, 2011**.
(See "Deadline: Application," page 4)

Contact Information

For assistance with the requirements of this solicitation, contact OVW at (202) 307-6026.

In Fiscal Year 2011, OVW applications will be submitted through Grants.gov. For further information and assistance, please see [the OVW Grant Program Solicitation Reference Guide](http://www.ovw.usdoj.gov/docs/resource-guidebook.pdf) at <http://www.ovw.usdoj.gov/docs/resource-guidebook.pdf>.

Grants.gov Number assigned to announcement OVW-2011-2905
All applicants will be notified of the outcome of their applications by September 30, 2011.

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OVW Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (CFDA 16.590)

Overview

This solicitation contains information on how to apply for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. For general information on applying for all OVW grant programs, please see the OVW Fiscal Year 2011 Grant Program Solicitation Reference Guide (Reference Guide) at <http://www.ovw.usdoj.gov/docs/resource-guidebook.pdf>. All applicants should read carefully both this solicitation and the Reference Guide before beginning the application process.

About the OVW Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program

The Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (hereinafter referred to as the Arrest Program) recognizes that sexual assault, domestic violence, dating violence, and stalking¹ are crimes that require the criminal justice system to hold offenders accountable for their actions through investigation, arrest, and prosecution of violent offenders, and through close judicial scrutiny and management of offender behavior.

At each juncture in the criminal justice process, concerns for victim safety should guide the actions of all partners in the system. Criminal justice agencies must collaborate among themselves and in meaningful partnership with nonprofit, nongovernmental sexual assault and domestic violence programs, including local shelters, rape crisis centers, victim service organizations and sexual assault and domestic violence coalitions to ensure that victim safety is a paramount consideration in the development of any strategy to address these crimes. Additionally, representatives from criminal justice agencies working to prevent and reduce sexual assault, domestic violence, dating violence, and stalking must have a clear understanding of the roles of governmental and nongovernmental victim assistance programs.

This discretionary grant program is designed to encourage State, local, and Tribal governments and State, local, and Tribal courts to treat sexual assault, domestic violence, dating violence, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system. The Arrest program challenges the entire community to listen, communicate, identify problems, and share ideas that will result in new responses to ensure victim safety and offender accountability.

Please read the Arrest Solicitation in its entirety before beginning your application. It is the responsibility of the applicant to ensure that the application is complete and that all eligibility requirements have been met at the time of application submission. OVW will remove an application from consideration, prior to peer review, if the application is incomplete. Final award decisions are not appealable.

Civil Rights Compliance

¹ The terms sexual assault, domestic violence, dating violence and stalking are defined in 42 U.S.C. § 13925 (a), which can be found on the Office on Violence Against Women website at <http://www.ovw.usdoj.gov/ovw-fs.htm>.

All recipients of Federal grant funds are required to comply with nondiscrimination requirements contained in various Federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office for Civil Rights of OJP. All applicants should consult the Assurances required with the application funds to understand the applicable legal and administrative requirements.

Services to Limited-English-Proficient (LEP) Persons:

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov or by contacting the OJP's Office for Civil Rights at (202) 307-0690, or by writing to the following address:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 7th Street, N.W., 8th Floor
Washington, DC 20531

Deadline: Registration

The Grants.gov registration deadline is **February 8, 2011**. For more information on the process of registering and applying in Grants.gov, please see the [Reference Guide](#) at pages 15-19.

Deadline: Application

An application submission is complete if (a) a hard copy of the entire application, with original signatures, has been submitted via overnight delivery on or before the deadline and (b) the application has been submitted through Grants.gov. Both electronic and hard copy submissions are required.

The deadline for applying for funding under this announcement is **February 24, 2011, 11:59 p.m. E.T.** A hard copy must be sent via an overnight delivery method, date stamped by the shipping company on or before **February 24, 2011** to:

**The Office on Violence Against Women
c/o Lockheed Martin Aspen Systems Corporation
OVW Arrest Program
Mail Stop 2K
2277 Research Boulevard**

Rockville, MD 20850
(301) 519-5000

Applicants are strongly encouraged to submit their applications well in advance of the deadline to ensure a successful submission through Grants.gov. For information on OVW's policy for late applications, please see the [Reference Guide](#) at pages 17-19.

Eligibility

It is very important that you review this information carefully. Applications that are submitted by non-eligible entities will be screened out during an initial review process and omitted from further review.

By statute, eligible entities for this program are:

- States²;
- Units of local government³;
- Indian Tribal governments; and
- State, Tribal, Territorial, and local courts (including juvenile courts).

For the purpose of this Program, a **unit of local government** is any city, county, township, town, borough, parish, village, or other general-purpose political subdivision of a State; an Indian tribe that performs law enforcement functions as determined by the Secretary of Interior; or, for the purpose of assistance eligibility, any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia, or any Trust Territory of the United States.

Non-eligible entities generally include, but are not limited to:

- Police departments;
- Pre-trial service agencies;
- District or city attorneys' offices;
- Sheriffs' departments;
- Probation and parole departments;
- Shelters;
- Nonprofit, nongovernmental victim service agencies including faith-based or community organizations; and
- Universities.

The above entities are typically not units of local government for the purposes of this grant program unless they meet the "unit of local government" definition provided in 42 U.S.C. § 3791 (see footnote three). Applications from typically "non-eligible" entities that want to assert "unit of

²As defined in 42 U.S.C. § 13925, "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam and the Northern Mariana Islands.

³ As defined in 42 U.S.C. § 3791, "unit of local government" includes any law enforcement district or judicial enforcement district that is established under applicable State law and has the authority to, in a manner independent of other State entities, establish a budget and impose taxes.

local government” status under 42 U.S.C. § 3791 must include in their application proof of such status. The aforementioned agencies or organizations are not eligible to apply directly for funding, but may assume responsibility for the development and implementation of the project. However, they must apply through a State; State, local, Territorial or Tribal court; Indian Tribal government; or a unit of local government.

Certification of Eligibility

According to 42 U.S.C. § 3796hh(c), to be eligible to receive funding through this Program, applicants must:

- (1) certify that their laws or official policies—
 - (A) encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed; and
 - (B) encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protection order;
- (2) demonstrate that their laws, policies, **or** practices **and** their training programs discourage dual arrests of offender and victim;
- (3) certify that their laws, policies, **or** practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and
- (4) certify that their laws, policies, **and** practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, or stalking, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, Tribal or local jurisdiction; and
- (5) certify that their laws, policies, or practices ensure that—
 - (A) no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under Federal, Tribal, State, Territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense; **and**
 - (B) the refusal of a victim to submit to an examination described in subparagraph (A) shall not prevent the investigation of the offense.

By statute, 42 U.S.C. § 3796hh-1(a)(1), all applications must include a certification by the **chief executive officer** of the State, Indian Tribal government or local government entity that conditions listed above are met or will be met by the statutory deadline. **Applicants that have OVW Arrest Program grants at the time of application but do not meet all eligibility requirements at the time of application will not be considered for funding. All other applicants have until the end of their next legislative session to fulfill the certification provisions.**

Submission of State, Tribal and/or local statutes, laws and policies in lieu of a letter with proper certifications signed by the chief executive officer will not satisfy these statutory requirements. Applicants will not be contacted by OVW to correct certification letters.

HIV Certification

In addition to the certifications listed above, under 42 U.S.C. § 3796hh(d), all States and units of local government which receive Arrest Program funding shall not be entitled to 5 percent of their total funds allocated under their Arrest Program grant unless the State or unit of local government:

- (1) certifies that it has a law or regulation that requires:
 - (A) The State or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than **48 hours** after the date on which the information or indictment is presented;
 - (B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and
 - (C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B); **or**
- (2) gives the Attorney General assurances that its laws and regulations will be in compliance with requirements of paragraph (1) by the period ending on the date on which the next session of the State legislature ends.

A Special Condition will be added to all Arrest Program grants to States and units of local government that are funded in Federal Fiscal Year 2011 to ensure compliance with the HIV testing certification listed above. It is not necessary to submit the HIV certification letter at this time; however, awardees will be contacted at a later date to submit their HIV certification letter.

OVW Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program— Specific Information

Types of Applicants

In FY 2011, OVW will accept applications for the Arrest Program from applicants who are currently receiving and/or have previously received funding under the Arrest Program and whose funding will expire on or before September 30, 2011. The FY 2011 Arrest Program will also accept applications from applicants that have not previously received funding under this program. Grantees that received new or supplemental funding under the Community-Defined Solutions solicitation for 24 months in FY 2010 are not eligible to apply.

Grantees should note that continuation or supplemental funding is not guaranteed.

Availability of Funds

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Funding is not guaranteed.

Award Period

The award period for these grants will be 24 months. **Budgets must reflect 24 months of project activity, and the total “estimated funding” (block 15) on the SF-424 must reflect 24 months. Requests should be tied to a specific project or proposal.**

Award Amounts

Applicants should carefully consider the resources needed to successfully implement the project proposed and present a realistic budget that accurately reflects project costs. Requests should be tied to a specific project proposal. Arrest Program funds for FY 2011 will be awarded based on the following guidelines:

<u>Service Area Population*</u>	<u>Budget Cap</u>
Up to 500,000	\$ 400,000
500,001 to 900,000	\$ 750,000
Over 900,000	\$1,000,000

***Applications should include a service area map identifying the area to be served.**

Notwithstanding the aforementioned budgetary caps, OVW may negotiate the scope of work with applicants and adjust budgets accordingly prior to granting an award. Additionally, OVW may remove from further consideration applications that exceed the solicitation's budgetary caps. Continuation grant award amounts may also be reduced to reflect the spending pattern on the applicant's prior awards.

Program Scope

The scope of the Arrest Program is defined by the following statutory program purpose areas and program priority areas. Proposed projects must implement activities consistent with the statutory program purpose areas. Applicants are reminded that any activities, whether they are sexual assault, domestic violence, dating violence, or stalking related, **must** fall within one of the following purpose areas.

During the OVW internal review, applications that are partially out of scope will receive up to a 25-point deduction. **Applications that propose projects that are substantially outside the scope of the Arrest Program statutory purpose areas will be disqualified from further funding consideration.**

Statutory Program Purposes

By statute, funds under the Arrest Program may be used for the following purposes:

- Implement pro-arrest programs and policies in police departments, including policies for protection order violations;
- Develop policies, educational programs, protection order registries, and training in police departments to improve tracking of cases involving sexual assault, domestic violence, dating violence, and stalking. Policies, educational programs, protection order registries, and training described in the application shall incorporate confidentiality, and privacy protections for victims of sexual assault, domestic violence, dating violence, and stalking;
- Centralize and coordinate police enforcement, prosecution, or judicial responsibility for sexual assault, domestic violence, dating violence, and stalking cases in teams or units of police officers, prosecutors, parole and probation officers, or judges;

- Coordinate computer tracking systems to ensure communication between police, prosecutors, parole and probation officers, and both criminal and family courts;
- Strengthen legal advocacy service programs for victims of sexual assault, domestic violence, dating violence, and stalking, including strengthening assistance to such victims in immigration matters;
- Educate judges in criminal and civil courts (including juvenile courts) about sexual assault, domestic violence, dating violence, and stalking and improve judicial handling of such cases;
- Provide technical assistance and computer and other equipment to police departments, prosecutors, courts, and Tribal jurisdictions to facilitate the widespread enforcement of protection orders, including interstate enforcement, enforcement between States and Tribal jurisdictions, and enforcement between Tribal jurisdictions;
- Develop or strengthen policies and training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of sexual assault and domestic violence against older individuals⁴ and individuals with disabilities;⁵
- Develop State, Tribal, Territorial, or local policies, procedures, and protocols for preventing dual arrests and prosecutions in cases of sexual assault, domestic violence, dating violence, and stalking, and develop effective methods for identifying the pattern and history of abuse that indicates which party is the actual perpetrator of abuse;
- Plan, develop and establish comprehensive victim service and support centers, such as family justice centers, designed to bring together victim advocates from non-profit, non-governmental victim services organizations, law enforcement officers, prosecutors, probation officers, governmental victim assistants, forensic medical professionals, civil legal attorneys, chaplains, legal advocates, representatives from community-based organizations and other relevant public or private agencies or organizations into one centralized location, in order to improve safety, access to services, and confidentiality for victims and families. **Although funds may be used to support co-location of project partners under this purpose area, funds may not support construction or major renovation expenses or activities that fall outside of the scope of the other statutory purpose areas;**
- Develop and implement policies and training for police, prosecutors, probation, and parole officers, and the judiciary in recognizing, investigating, and prosecuting instances of sexual assault, with an emphasis on recognizing the threat to the community for repeat crime perpetration by such individuals;
- Develop, enhance and maintain protection order registries. **Please note that funds cannot be used to create sex offender registries;** and

⁴ As defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. § 3002).

⁵ As defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12102(2)).

- Develop human immunodeficiency virus (HIV) testing programs for sexual assault perpetrators and notification and counseling protocols⁶.

Program Priority Areas

By statute, 42 U.S.C. §3796hh-1(b), priority will be given to applicants that:

- Do not currently provide for centralized handling of cases involving sexual assault, domestic violence, dating violence, and stalking by police, prosecutors, and courts;
- Demonstrate a commitment to strong enforcement of laws, and prosecution of cases, involving sexual assault, domestic violence, dating violence, or stalking including the enforcement of protection orders from other States and jurisdictions (including Tribal jurisdictions);
- Have established cooperative agreements or can demonstrate effective ongoing collaborative arrangements with neighboring jurisdictions to facilitate the enforcement of protection orders from other States and jurisdictions, including Tribal jurisdictions; and
- Intend to utilize grant funds to develop and install data collection and communication systems, including computerized systems, and training on how to use these systems effectively to link police, prosecutors, courts and Tribal jurisdictions for the purpose of identifying and tracking protection orders and violations of protection orders, in those jurisdictions where such systems do not exist or are not fully effective.

OVW Special Interest Areas

OVW also has an interest in initiatives that address sexual assault, domestic violence, dating violence, and/or stalking among diverse and traditionally underserved populations, such as:

- Indian and Alaskan Native individuals;
- Individuals from other diverse racial and cultural communities including immigrants;
- Gay, Lesbian, Bisexual, Transgender and Questioning (GLBTQ) individuals;
- Individuals with Disabilities; and
- Individuals experiencing abuse in later life.

In addition, OVW has an interest in projects that:

- Develop Sexual Assault Response Teams (SART) and support Sexual Assault Nurse Examiners (SANE/SAFE) along with collaborating or partnering with sexual assault victim advocates to actively respond to sexual assault victims and provide them with immediate and long-term counseling services;
- Develop and implement risk/danger assessments to address issues of victims who are considered to be in high risk of lethality in relationships;

⁶ Applicants wishing to address this purpose area must do so in conjunction with one of the other purpose areas listed above. Proposals focusing only on this purpose area may be removed from consideration.

- Develop new and/or enhance existing protection order policies and/or protocols that support victims of dating violence (e.g., victims of dating violence who do not cohabitate or have a child in common);
- Provide basic and advanced training and services that address the intersection of domestic violence and prisoner re-entry, providing advocacy services to battered women convicted of crimes, victims of prison rape, and women whose batterers are returning from prison; and
- Provide appropriate support and interventions in sexual assault and domestic violence cases to members of the military and their families. **Applicants interested in addressing this special interest area should include demographic information about the military presence within or near their community. Applicants that focus their projects on this special interest area may request an additional \$5,000 to support additional OVW sponsored technical assistance only. The applicant's MOU should include a statement about the applicant's commitment to training law enforcement, advocates and prosecutors, as well as other project partners on appropriate interventions with military families.**

Out-of-Scope Activities

Although certain activities may appear to relate to the Statutory Program Purposes listed above, OVW determines these activities to be out of the program scope. The following is a list of activities that are out of the scope of this program and cannot be supported by Arrest Program funding:

Direct Legal Representation

Grant funds may not be used to provide legal representation in civil and criminal matters, such as family law cases (divorce, custody, visitation and child support), housing cases, consumer law cases and others. Grant funds, however, may be used to provide legal representation to victims of sexual assault, domestic violence, dating violence, and stalking **only** in the limited context of protection order proceedings.

Prevention Activities

All applicants addressing prevention activities (e.g., outreach to elementary and secondary schools, implementation of educational programs regarding domestic and dating violence intervention, and public/community awareness campaigns) will be considered out of scope and removed from consideration for funding. Grantees are only permitted to engage in outreach activities to inform potential victims about the availability of services.

Family Violence

Grant funds may not be used to directly address child abuse, other family violence issues such as violence perpetrated by a child against a parent, or violence perpetrated by a sibling against another sibling.

Children

Applicants may not use grant funds to provide direct services to children, including children who are witnesses or victims of violence, except where such services are an ancillary part of providing services to the child's parent who is a victim of sexual assault, domestic violence, dating violence, or stalking (such as providing child care services while the victim receives

services). **In addition, funds may not be used to investigate or prosecute child abuse or child sexual abuse cases.**

Unallowable Activities

Grant funds under the Arrest Program may not be used for any unauthorized purposes, including but not limited to the following activities:

- Lobbying
- Fundraising
- Research projects
- Purchase of real property
- Construction
- Physical modifications to building, including minor renovations (such as painting or carpeting)

Activities That May Compromise Victim Safety and Recovery

The following activities have been found to jeopardize victim safety, deter or prevent physical and emotional healing for victims, or allow offenders to escape responsibility for their actions. OVW strongly encourages you **not** to include these activities in your application for funding:

- Automatic pre-trial diversion programs;
- Mediation or counseling for couples as a systemic response to domestic violence;
- Operating domestic violence batterer intervention programs that are not court-ordered or court-monitored;
- Utilizing anger management classes instead of batterer intervention programs;
- Requiring victims of sexual assault, domestic violence, dating violence, or stalking to file for a protection order or file criminal charges against their abuser as a condition of receiving services;
- Using practices or procedures that fail to protect the confidentiality and safety of victims; (e.g., not utilizing advocates for safety planning, unsafe ways/means of contacting victims);
- Referring victims to Child Protection Services solely for failure to protect their minor child from witnessing domestic violence; and
- Procedures that would penalize victims of violence for failing to testify against their abusers or impose other sanctions on victims. Rather, procedures that provide victims with the opportunity to make an informed choice about whether to testify are encouraged.

Activities that compromise victim safety and recovery will be a factor reviewed during the OVW internal review. Applications may be considered out of scope if significant activities are included that could compromise victim safety and recovery.

Confidentiality

Applicants should be cognizant of victim's confidentiality. Please see Reference Guide p. 7 for more information.

How To Apply

See the Reference Guide at pages 15-19 for instructions on "how to apply."

What An Application Must Include

Applicants must complete each of the following sections as part of their response to this solicitation. **It is the responsibility of the applicant to ensure that its application is complete by the deadline. OVW may remove an application from consideration prior to peer review if the application is substantially incomplete or received after the deadline without prior permission as described in the Reference Guide at pages 17-19.** For each section listed below, please note the corresponding maximum point value that may be assigned during the peer review scoring process. The application should use headings and subheadings in the order below for ease of review. Peer reviewers may not receive any additional materials submitted beyond those required. For example, if an application includes a narrative that is 25 pages, the last five pages will be removed prior to peer review.

Applications must adhere to the following requirements:

- Double spaced (except that any included graphs and charts may be single-spaced)
- 8½ x 11 inch paper
- One inch margins
- Type no smaller than 12 point, Times New Roman font
- Include a brief Summary Data Sheet
- Include a Project Abstract (please limit to one page)
- Include a list of all current OVW projects as described below (if applicable)
- No more than 20 pages for the Project Narrative (item II below)
- Word processing documents must be in the following formats: Microsoft Word (.doc), PDF files (.pdf), or Text Documents (.txt).

Your application will be scored on the following sections:

- Summary Data Sheet
- Project Narrative
- Budget Detail Worksheet and Narrative
- Memorandum of Understanding (MOU)

We reserve the right to deduct points if the following materials are missing:

- Proposal Abstract
- Summary of Current OVW Projects
- Application for Federal Assistance (SF-424)
- Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)
- Financial Accounting Practices
- Letter of Nonsupplanting

Sections I through XIII below describe the specific elements of a complete application.

I. Summary Data Sheet (2 Points)

Please list the following information on a single page. The Summary Data Sheet should be a separate attachment to the application in Grants.gov and a separate section in the hard copy.

- Name, title, address, phone number, and e-mail address for the authorized representative. (Please see the Reference Guide at page 8 for more information on who can be an authorized representative.)
- Name, title, address, phone number, and e-mail address for the grant point-of-contact.
- Statement as to whether the agency has expended \$500,000 in Federal funds in the past fiscal year for the applicant. Please specify the end date of the fiscal year.
- A list of other Federal grant programs from which the applicant agency currently receives funding or for which it has applied in Federal Fiscal Year 2011;
- The agency and type of agency (i.e., local government, State government, Tribal government, State, Tribal or local court) applying for funding;
- The nonprofit, non-governmental victim services program collaborating on this project;
- Whether this is a new or continuation application;
- Whether this project is a local, Tribal, multi-jurisdiction (involving 10 or more counties), statewide, regional (multiple states), Tribal consortium, or court project;
- The regional area(s) (city, town, Tribal area, county, parish) where this project will be implemented; and
- The Arrest Program Statutory Purpose Areas, Priority Areas, and OVW Special Interest Areas if any, addressed by this proposal. Applicants are not required to address a Priority or Special Interest Area.

II. Project Narrative (Total 63 Points)

The following narrative should be a separate attachment to the application in Grants.gov and a separate section in the hard copy. The Project Narrative may not exceed 20 pages in length, double-spaced. Please number the pages of your narrative.

A. Purpose of Application (10 points)

This section should briefly:

- Describe the problem to be addressed and how funding would alleviate it;
- Describe the community's service area in which the project would be implemented, including location, population, and demographic information;
- Identify the target population and state how the target population would benefit from the proposed project (please use current demographic information for the service area in order to be as specific and detailed as possible when describing the population to be served);
- Describe current services and gaps;
- Describe how the proposed project complements the State's STOP Violence Against Women Implementation Plan (this is not required for applications from Tribal governments or nonprofit organizations); and
- If the applicant has applied or is applying for multiple OVW grants, describe how this project compliments such other projects without duplicating efforts.

This section will be rated on the detail with which you provide the above information as well as the quality of the proposed activities plus the following criteria:

- The impact of current or prior efforts to prevent and reduce sexual assault, domestic violence, dating violence, and/or stalking in the jurisdiction;
- The need or continued need for the project; and

- The description of the community to be served, including diverse, traditionally, underserved populations of victims of sexual assault, domestic violence, dating violence, or stalking and how the proposed project will address their needs.

B. What Will Be Done (40 points)

This section should briefly:

- Detail the project goals and objectives, describing the specific tasks and activities necessary to accomplish each;
- Include a time frame that demonstrates how the activities will be accomplished within the 24 month grant cycle;
- Describe how additional funding will enhance any existing projects;
- Describe tangible products that will be generated (e.g., a video, a brochure, a curriculum and how they could be used to assist other jurisdictions that wish to implement mandatory or pro-arrest policies to address sexual assault, domestic violence, dating violence, or stalking). Products are not required; not all jurisdictions would benefit from developing new products;
- Detail what you are currently doing to address victim safety and autonomy; and
- Describe how you plan to address victim safety and autonomy in the project.

In addition, if applicants are proposing to use any technology (including, but not limited to, security systems, GPS, hotlines, and databases) they should explain how they plan to address any victim safety concerns that may arise from the use of the technology, such as confidentiality, safety planning, and informed consent.

This section will be rated on the detail with which you provide the above information as well as the quality of the proposed activities plus the following criteria:

- How well the goals and objectives defined directly link to the need described within the Purpose of the Application;
- How well the specific tasks and activities described relate to successfully meeting the goals and objectives described;
- How well the timeline of the specific tasks and activities indicates that the project will be successfully implemented and completed within the timeline provided;
- How well the products that are proposed for creation or distribution with grant funds are described;
- How well the proposed activities protect victim safety and confidentiality;
- How measurable the described goals and objectives are; and
- How well the proposed activities reflect sound and/or innovative strategies to improve victim safety and offender accountability.

C. Who Will Implement the Project (10 points)

This section should briefly:

- Identify the agency(ies) or office(s) responsible for implementing the project;
- Identify all of the intended project partners, specifying their respective roles and responsibilities, and the collaborative relationship to be developed or enhanced; and
- Provide a description of the expertise or experience of key staff. Position descriptions and resumes that are available should be appended to the application.

Applicants under this program may not issue a Solicitation/RFP redistributing these funds after receiving an award.

In addition, all applicants **are required** to enter into a formal collaboration with one or more nonprofit, nongovernmental organizations serving victims of sexual assault, domestic violence, dating violence, and/or stalking. This may include faith-based or community organizations. Nonprofit, nongovernmental sexual assault, domestic violence, dating violence, or stalking victim service organizations must be involved in the **development and implementation** of the project.

Victim service organizations should meet all of the following criteria:

- Provide services to victims of sexual assault, domestic violence, dating violence, or stalking as one of their primary purposes and have a demonstrated history of effective work in this field;
- Address a demonstrated need in their communities by providing services that promote the dignity and self-sufficiency of victims, improve their access to resources, and create options for victims seeking safety from perpetrator violence; and
- Do not engage in or promote activities that compromise victim safety.

In developing an application for the Arrest Program, applicants are encouraged to consider some important distinctions among the following:

- Victim assistants who work for government agencies (e.g., the police department or the district or city attorney's office);
- Victim advocates who represent nonprofit, nongovernmental sexual assault, domestic violence, dating violence, or stalking programs (e.g., shelters, rape crisis centers, advocacy groups or coalitions); and
- Legal representatives (e.g., students from law school clinics, paralegals, attorneys working for legal service agencies or independent attorneys).

While there is an important role for all victim advocates to play in the creation of a coordinated community response/multidisciplinary response to sexual assault, domestic violence, dating violence, and stalking, the participation of nonprofit nongovernmental sexual assault, domestic violence, dating violence, or stalking programs, whether faith-based or community organizations, is required in development and implementation of the project. This does not preclude applicants from requesting support for government agency victim services and legal representatives in limited circumstances, but the budget and budget narrative must distinguish between these roles and should include compensation for the contributions of nonprofit, victim service agencies. In addition, if funding is requested for both governmental and victim assistance and advocacy, the project narrative must explain how these different entities will collaborate.

Victim service providers can provide varying degrees of confidentiality, often depending on State, Tribal, and Federal laws. This may affect what information about victims they can share with partners. Other partners may have legal limitations as well. Applicants should explain information sharing between partners, including how they will protect information that is confidential or privileged.

This section will be rated on the detail with which you provide the above information as well as the quality of the proposed activities plus the following criteria:

- A clear link is provided to ensure that all specific activities and tasks are linked to a specific agency or organization to ensure that there is accountability;
- The application includes as a partner a nonprofit, nongovernmental organization serving victims of sexual assault, domestic violence, dating violence, and/or stalking;
- A description of the experience and expertise of all key personnel is included;
- Key personnel have expertise relevant to the project; and
- Organizations necessary for successful project implementation are project partners.

D. Sustainability Plan (3 points)

As this is a competitive, discretionary program, there is no guarantee of continuation funding. Applicants are required to include a plan describing their commitment and capacity to continue the project if Federal funding through the Arrest Program were no longer available. Applicants must also describe at least one locally, privately, State, or Federally funded project that the applicant has sustained in the past.

Note: Continuation or supplemental funding is not guaranteed and applicants are always encouraged to seek additional means of support to sustain their current projects.

This section will be rated on the feasibility of the plan and the demonstration of commitment to continue the project if funds are no longer available.

III. **Budget Detail Worksheet and Narrative (Total 15 Points)**

For more information and samples, please see the Reference Guide at pages 11-14. The Budget Worksheet and Narrative should be one attachment to the application in Grants.gov and a separate section in the hard copy.

In developing the budget, applicants should financially compensate all project partners for their participation in any project-related activities, including, but not limited to, compensation for time and travel expenses to participate in project development, training, and implementation. The budget **must** include compensation for all services rendered by project partners, including nonprofit, nongovernmental sexual assault and/or domestic violence victim services programs and State and Tribal sexual assault and/or domestic violence coalitions. If a partner is a state or local governmental agency and the partnership duties are conducted within the course of the agency's "regular" scope of work, the applicant does not need to compensate the partner if the partner a) offers this arrangement; and b) an explanation of this arrangement is included in the application.

Budget Limits

Since funds are limited, applicants should carefully consider the resources needed to implement a community-wide project and present a realistic budget that accurately reflects the costs involved for a 24-month budget. Current grantees should conduct a thorough assessment of their continuation needs. Budget caps will be considered based on the following service area population formula:

<u>Service Area Population</u>	<u>Budget Cap</u>
Up to 500,000	\$ 400,000
500,001 to 900,000	\$ 750,000
Over 900,000	\$1,000,000

Applications should include a service area map identifying the area to be served.

OVW has the discretion to make grants for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to award of a grant.

Budget Requirements

For budget guidelines, see the Reference Guide at pages 11-14. Additional guidance specific to this program is as follows:

Training and Technical Assistance

All applicants **are required** to allocate funds in the amount of **\$15,000** to support travel costs associated with technical assistance and capacity-building activities sponsored by OVW-designated technical assistance providers. Applicants from Alaska, Hawaii, and United States Territories should allocate **\$30,000** to account for higher travel costs. These specific applicants may exceed the budget caps to account for this increased travel amount. Please see the Reference Guide at pages 11-12 for more information on this requirement. **Applicants that focus projects on the special interest area of providing appropriate support and interventions in sexual assault and domestic violence cases to members of the military and their families may request an additional \$5,000 in technical assistance funds.**

- Applicants **may not** allocate any funds for the following unallowable costs: uniforms, weapons, automobiles, and security systems.
- Applicants should include only salary and fringe costs for staff if they work directly for the eligible applicant in the "Personnel" category. Otherwise, the salary and fringe benefits should be included in the "Consultants/Contracts" category.

Services to Limited-English-Proficient (LEP) Persons

Applicants may allocate grant funds to support activities that help to ensure that LEP persons have meaningful access to their programs. For example, grant funds can be used to support interpretation and translation services.

A Sample Budget Detail Worksheet is available at <http://www.ovw.usdoj.gov/applicants.htm>. When preparing the Worksheet and Narrative, please use the Sample Budget Detail Worksheet as a guide and be sure to include all necessary budget categories as outlined in the Worksheet. The budget should clearly describe the proposed amounts and uses of grant funds for the duration of the grant period and how the amounts of the specific budget items were determined. The budget should demonstrate a clear link between the specific project activities and the proposed budget items. Specifically, the budget should not contain any items that are not detailed in the project narrative.

The budget narrative should support all costs included in the budget and justify the purpose of the costs in relationship to fulfilling the overall objective of the project. The narrative should also include a description of services being performed and how the cost is determined.

This section will be rated on the detail in the budget narrative plus the following criteria:

- The extent to which the budget is complete, reasonable, and cost effective in relation to the project and does not exceed the budget cap for service population;
- The extent to which there is a clear link between proposed budget activities and proposed budget items and the budget provides basis for computation of all project related costs;
- The extent to which the budget reflects the 24 months of project activity and provides basis of computation of all project-related costs;
- The extent to which the budget allocated funds to support travel costs associated with technical assistance and capacity-building activities sponsored by OVW technical assistance providers;
- The budget does not include any costs unrelated to support the proposed project;
- The budget narrative clearly describes the rationale for all costs proposed;
- The budget appropriately compensates project partners; and,
- The budget is consistent and adheres to the OVW Financial Grants Management Guide.

IV. Memorandum of Understanding (MOU) (Total 20 points)

Applicants are required to submit an MOU that demonstrates they have consulted and coordinated in a meaningful way with nonprofit, nongovernmental sexual assault and/or domestic violence programs. OVW requires this to be done by the submission of an MOU. The MOU should be a single attachment to the application in Grants.gov and a separate section in the hard copy.

Each applicant must include, as an attachment, a current (**i.e., signed and dated during the development of the proposal**) MOU created and signed by the chief executive officers and/or directors of:

- One or more Nonprofit, nongovernmental sexual assault, domestic violence, dating violence, and/or stalking programs, or other nonprofit, nongovernmental organizations that adequately demonstrate history and expertise in working with victims of sexual assault, domestic violence, dating violence, and/or stalking. Additionally, the organization should appropriately correspond to the proposed project. For example, if an application focuses mainly on sexual assault, then the nonprofit partner should have demonstrated expertise in sexual assault. **Applicants must demonstrate this correlation in their MOUs;**
- Relevant criminal justice agencies participating in project development or implementation (e.g., law enforcement, prosecution, the courts and probation; and
- Other community agencies or organizations that will collaborate to implement the project.

Applicants that have previously been funded under this program must develop a new MOU that reflects the continuation of project activities and include current dates and signatures from all relevant project partners.

The MOU must do the following:

- Identify the partners and provide a brief history of the collaborative relationship among those partners, including when and under what circumstances the relationship began and when each partner entered into the relationship;
- Specify the extent of each partner's participation in developing the application;

- Clearly state the roles and responsibilities each organization or agency would assume to ensure the success of the proposed project;
- Identify the representatives of the planning and development team who will be responsible for developing and implementing project activities and describe how they will work together and with project staff;
- Demonstrate a commitment on the part of all project partners to work together to achieve stated project goals;
- Indicate approval of the proposed project budget by all signing parties; and
- Describe the resources each partner would contribute to the project, either through time, in-kind contributions, or grant funds (e.g., office space, project staff, and training).

In addition, OVW requires all grantees to complete a Semi-Annual Progress Report which may involve input from some or all project partners. In developing the MOU, applicants are encouraged to include a statement of the roles and responsibilities each organization would assume in meeting grant report requirements. For more information on these requirements, please refer to the section titled "Performance Measurement" at page 23.

The MOU should be a **single document** that includes signatures and dates from all partners. **Separate signature pages for partners are not acceptable.** Signatories should be sure to include their titles and agencies under their signatures.

Letters of support **may not** be submitted in lieu of the MOU.

This section will be rated on the detail with which you provided the above information as well as the quality of that information plus the following criteria:

- The extent to which the MOU demonstrates a meaningful partnership among the relevant agencies.

In addition to the criteria above, all applications will be rated on the extent to which they provide all of the information set out in the solicitation and meet all of the criteria specified. In reviewing applications, reviewers will evaluate the application as a whole.

V. Proposal Abstract

The Proposal Abstract should provide a short and accurate summary of your proposed project including its goals and objectives. Please do not summarize past accomplishments in this section. The Proposal Abstract should be a single page and should be a separate attachment to the online application in Grants.gov and a separate section in the hard copy.

The Proposal Abstract **must not** be submitted on the same page as the Summary Data Sheet.

VI. Summary of Current OVW Projects

For each current OVW Project, as defined in the OVW Reference Guide at page 9, please provide the following information:

- Identify grant by program, award number, and project period.
- Specify the total funds remaining in each grant as of the date of application.

- Provide the total funds remaining in each grant in the Personnel, Contracts/Consultants and Travel categories as of the date of application.
- List the names, dates, and locations of all OVW-sponsored training and technical assistance events in which project staff or project partners participated during the current grant award period.
- List the number and titles of all full-time and/or part-time positions.
- If applying for supplemental funding under this program, describe the status of achieving the goals and objectives identified in your most recent application.

This section should be clear and succinct. This should be a separate attachment to the application in Grants.gov and a separate section in the hard copy.

In addition to this information, OVW will evaluate the performance of the applicant in all current grants when considering this application. **Please note that applicants that are OVW grantees who have failed to meet grant deadlines, failed to comply with financial requirements, or failed to comply with special conditions from current or previous grants may not be considered for funding.**

VII. Application for Federal Assistance (SF-424)

Please see the [Reference Guide](#) at page 8 for additional information. In Block 7 (type of applicant), please do not select "other." This form will be filled out online and you should print out a copy for your hard copy submission.

VIII. Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Forms 4061/6)

Please see the [Reference Guide](#) at page 8 for additional information. These forms will be completed online and you should print out a copy for your hard copy submission.

IX. Financial Accounting Practices

Each applicant must prepare a response to the following questions. OVW will review the applicant's responses to assist in evaluating the adequacy of the organization's financial management system and to identify areas of need for training and technical assistance. This section of your application should be no more than two pages and should be a separate attachment to the online application in Grants.gov and a separate section in the hard copy.

- Will all funds awarded under this program be maintained in a manner that they will be accounted for separately and distinctly from other sources of revenue/funding?
- Does the applicant have written accounting policies and procedures? OVW may request a copy for review during the application/award process or as part of the grant monitoring process.
- Is the applicant's financial management system able to track actual expenditures and outlays with budgeted amounts for each grant or subgrant?
- Does the applicant have procedures in place for minimizing the time elapsing between transfer of funds from the United States Treasury and disbursement for project activities?

- Does the applicant have effective internal controls in place to adequately safeguard grant assets and to ensure that they are used solely for authorized purposes? Please provide a brief description.
- Does the applicant have a documented records retention policy? If so, briefly describe the policy.
- Is the individual primarily responsible for fiscal and administrative oversight of grant awards familiar with the applicable grants management rules, principles, and regulations? If not, the applicant must contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 immediately after the organization is notified of their award to coordinate training.

X. Letter of Nonsupplanting

Applicants must submit a letter to OVW's Director, signed by the Authorized Representative, certifying that Federal funds will not be used to supplant State or local funds should a grant award be made. Please refer to http://www.ovw.usdoj.gov/docs/nonsup_letter.pdf for a sample letter. This should be a separate attachment to the application in Grants.gov and a separate section in the hard copy.

XI. Indirect Cost Rate Agreement

Applicants that intend to charge indirect costs through the use of an indirect cost rate must have a Federally-approved indirect cost rate agreement. Please include a copy of a current, signed Federally-approved indirect cost rate agreement. Please see the [Reference Guide](#) at page 14 for additional information.

XII. Letter of Certification

All applicants are required to certify to a list of conditions. The certification requirements can be found on pages 5-6 of the Solicitation.

XIII. A Jurisdiction-Service Area Map

Applicants must include a service area map identifying the area to be served.

Selection Criteria

All applications will be rated on the criteria described in each section above. The total points possible for an application are 100 (2 points for Summary Data Sheet, 63 points for Narrative, 15 points for Budget, and 20 points for the MOU).

Additionally, continuation projects will be rated by OVW using the following criteria:

- Progress reports submitted by the applicant, in conjunction with monitoring conducted by OVW, demonstrate the effectiveness of the current project, indicating timely progress toward meeting project goals and objectives;
- The grantee has demonstrated that past activities supported with OVW grant funds have been limited to program purpose areas;
- The grantee has complied with all special conditions of its existing grant award(s) from OVW;
- The grantee has adhered to programmatic and financial reporting requirements, including timely submission of required reports;
- The grantee has closed-out prior awards in a timely manner;

- The grantee appropriately utilized and actively participated in OVW-sponsored workshops and other technical assistance events as required by a special condition of the current award;
- The grantee has received financial clearances on all current grants from OVW;
- The grantee has acted in a timely manner to resolve issues identified in an audit or an on-site financial or programmatic monitoring visit;
- The grantee has complied with the Office of Management and Budget single-audit requirement; and
- Grant funds have been spent in a timely manner.

OVW grantees who have failed to meet grant deadlines, did not comply with financial requirements, or did not comply with special conditions from previous grants may not be considered for funding. In addition, if an applicant is on the DOJ High Risk Grantee list, OVW will take this into consideration in making award determinations.

Review Process

OVW uses a three-phased review process, which includes an initial internal review, an external peer review, and a secondary internal review. The total points possible for an application are 100 (2 points for Summary Data Sheet, 63 points for Narrative, 15 points for Budget, and 20 points for the MOU). Although all applicants will be rated on the criteria described in the preceding sections, OVW will specifically consider the following selection criteria during each phase of the review process. If OVW determines that an application does not meet the stated criteria, the application may not move forward for the subsequent reviews.

Questions for the Initial and Secondary Internal Reviews

- Does the applicant meet all statutory eligibility criteria (see pages 5-6)?
- Is the application complete?
- Are the proposed activities within the scope of the program (see pages 8-10)?
- Is the proposed budget within the established limits (see pages 17-19)?
- Does the applicant meet the certification requirements for the program (see pages 6-7)?
- Does the applicant have excessive funds remaining in their current Arrest Program award?
and
- Does the applicant propose significant activities that may compromise victim safety (see page 12)?

OVW grantees who have failed to meet grant deadlines, have not spent grant funds in a timely manner, did not comply with financial requirements, or did not comply with special conditions from previous grants may not be considered for funding. In addition, if an applicant is on the DOJ High Risk Grantee list, OVW will take this into consideration in making award determinations.

Pre-decision Site Visit

Some applicants may be selected for a pre-decision site visit.

External Peer Review Panels

OVW will establish panels comprised of experts and practitioners to review applications. Each panel will review the information provided in the application against the selection criteria for the program.

Secondary Internal Review

Following formal peer review, a second internal review will be conducted, which will include, but not be limited to, the geographic distribution of the applications, the ratio of population to services if applicable, the extent to which the applications will address the demonstrated needs of an underserved population, and agency and statutory priorities.

Performance Measures

All OVW grantees are required to submit annual and/or semi-annual progress reports, which will be provided to you should you be selected for an award.

For more information, see the Reference Guide at pages 19-22.

Notice of New Post-Award Reporting Requirements

Applicants should anticipate that all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding.

It is expected that reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at <https://www.fsrs.gov>. Additional guidance on reporting will be provided in the near future by OVW and/or the Office of Management and Budget (OMB).

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

Additional Requirements

For information on additional requirements that apply to all OVW applicants and grantees, see the Reference Guide at pages 23-24.

Public Reporting Burden

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this form is 30 hours per form. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office on Violence Against Women, U.S. Department of Justice, 145 N Street, NE, Washington, DC 20530.

Application Checklist

Applicants must submit a fully executed application to OVW via overnight delivery, including all required supporting documentation. If you do not have the ability to upload signed documents, you may upload an unsigned version and include the signed original in the hard copy of the application. **Applications will not be accepted via facsimile.**

Application Document	Required?	Completed?
1. Standard Form 424	Yes	
2. Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)	Yes	
3. Financial Accounting Practices	Yes	
4. Summary Data Sheet	Yes	
5. Proposal Abstract	Yes	
6. Summary of Current OVW Projects	Yes, if applicable	
7. Narrative. The following sections must be included	Yes	
Purpose of Application		
What will be Done		
Who will Implement		
Sustainability		
8. Budget, Budget Narrative and Budget Summary	Yes	
9. MOU	Yes	
10. Letter of Nonsupplanting	Yes	
11. Indirect Cost Rate Agreement (only if the applicant has a current Federally-approved rate)	If applicable	
12. Letter of Certification and Eligibility	Yes	
13. A Jurisdiction-Service Area Map	Yes	

Applicants must send **via overnight delivery** a complete hard copy original of the application, **date stamped by the shipping company on or before February 24, 2011** to:

**The Office on Violence Against Women
 c/o Lockheed Martin Aspen Systems Corporation
 OVW Arrest Program
 Mail Stop 2K
 2277 Research Boulevard
 Rockville, MD 20850
 (301) 519-5000**

In addition, applications must be submitted through Grants.gov.

Appendix A – Letter of Certification of Eligibility

Quick Tips to Certification of Eligibility Letter

- Current grantees that do not meet all eligibility requirements at the time of application will not be considered for funding. While all other applicants have until the end of their next legislative session to fulfill the certification provisions, applicants must certify that these will be met by such date.
 - If your jurisdiction is compliant with all statutory eligibility requirements, please refer to “Sample Letter of Certification of Eligibility #1 on page 27.
 - If your jurisdiction is a new applicant as defined on pages 5-6 and not currently compliant with one or more of the certification requirements, please refer to “Sample Letter of Certification of Eligibility #2” on page 29. For the purpose of this letter, the “next legislative session” is the first legislative session that begins after notice of an award.
- Ensure all language in the letter reflects what is outlined in the Solicitation and highlighted in the following sample letter. *Note: an “and” or an “or” in the incorrect place or missing can make the letter deficient, therefore making the application ineligible for funding; and*
- Have the Chief Executive Officer sign the letter. *Examples: Governor for a state applicant, Chief Judge or Court Administrator for a court applicant and Mayor, County Executive or Tribal Chairman for unit of local government or Indian Tribal government applicant.*

Appendix B - Sample Letter of Certification of Eligibility #1: For applicants that have met all certification requirements.

[Applicant Letterhead]
[date]

DOJ/Office on Violence Against Women
145 N. Street, NE 10th Floor
Washington, DC 20530

Re: Arrest Program

Dear Director:

As Chief Executive Officer of [enter jurisdiction name], I submit this letter to certify to the following:

- 1) the laws or official policies of [the jurisdiction] encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed;
- 2) the laws or official policies of [the jurisdiction] encourage or mandate arrests of domestic violence offenders who violate the terms of a valid and outstanding protection order;
- 3) the laws, policies, or practices and the training programs of [the jurisdiction] discourage dual arrests of offender and victim;
- 4) the laws, policies, or practices of [the jurisdiction] prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and
- 5) the laws, policies, and practices of [the jurisdiction] do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence and stalking, or that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, Tribal, or local jurisdiction;

- 6) the laws, policies or practices of [the jurisdiction] ensure that:
- (A) no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under Federal, Tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense; and
 - (B) the refusal of a victim to submit to an examination described in subparagraph (A) shall not prevent the investigation of the offense.

Sincerely,
[Chief Executive Officer]

Appendix C - Sample Letter of Certification of Eligibility #2: For new applicants that have not met all of the certification requirements and will certify to meeting them by the end of their next legislative session.

[Applicant Letterhead]

[date]

DOJ/Office on Violence Against Women
145 N. Street, NE, 10th Floor
Washington, DC 20530

Re: Arrest Program

Dear Director:

As Chief Executive Officer of [enter jurisdiction name], I submit this letter to certify that the (enter jurisdiction name) is not a current grantee as defined by the FY 11 Arrest Program Solicitation and certify to the following:

[A list of all statutory eligibility requirements are provided below the signature line. Please insert all of the eligibility requirements which your jurisdiction currently meets.]

I further certify that the (enter jurisdiction name) will fulfill the following certification requirements by the end of our next legislative session:

[Please insert any of the requirements which your jurisdiction does not currently meet.]

Sincerely,
[Chief Executive Officer]

The following is a list of certifications that should be included in the jurisdiction's letter:

- 1) the laws or official policies of [the jurisdiction] encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed;
- 2) the laws or official policies of [the jurisdiction] encourage or mandate arrests of domestic violence offenders who violate the terms of a valid and outstanding protection order;
- 3) the laws, policies, or practices and the training programs of [the jurisdiction] discourage dual arrests of offender and victim;
- 4) the laws, policies, or practices of [the jurisdiction] prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense;
- 5) the laws, policies, and practices of [the jurisdiction] do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection

with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence or stalking, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction; and

- 6) the laws, policies, or practices ensure that (A) no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under Federal, tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense; **and** (B) the refusal of a victim to submit to an examination described in subparagraph (A) shall not prevent the investigation of the offense.