

Grants to Improve the Criminal Justice Response Program

States, Tribal Governments, Units of Local Government

Samples & Instructions

Instructions:

All applicants who are States, Tribal Governments, or Units of Local Government must submit the following **three** letters:

1. Certification of Eligibility
2. Prosecution Certification
3. Minor Certification

When writing the letters, choose the sample based on whether your jurisdiction:

1. Is currently in compliance; or
2. Will come into compliance by the end of the next legislative session.

For applicants who are Victim Service Providers, Coalitions, or Courts, please refer to the certification documents relevant to your agency type.

Helpful Hints

Letterhead:

Each letter must be submitted on the letterhead of the governmental agency (State, Tribe, or Unit of Local Government) appropriate to the service area.

Signature:

The Chief Executive Officer of the governmental agency **must** sign each letter. Note that the “Chief Executive Officer” refers to the highest official of a State, Tribe, or local jurisdiction.

Examples include:

- Governor for a State applicant
- Mayor or County Executive for a Unit of Local Government
- Tribal Chairperson for a Tribal government

Other government officials, such as the District Attorney or Attorney General, are **not** considered the Chief Executive Officer.

Accuracy:

Applicants must ensure that all language in the letter accurately reflects the requirements of the Notice of Funding Opportunity, and is consistent with the laws, policies, or practices of the governmental entity.

Template Use:

Using the provided letters is highly encouraged, please ensure that all details are accurate.

SAMPLE CERTIFICATION OF ELIGIBILITY (1 OF 3)
For States, Indian Tribal Governments, or Units of Local Government
CURRENTLY IN COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women 145 N
Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Certification of Eligibility

Dear Director:

As Chief Executive Officer of **[State, Tribe, or jurisdiction name]**, I certify that:

1. The laws or official policies of **[the jurisdiction]**:
 - a. encourage arrests of domestic violence, dating violence, sexual assault, and stalking offenders based on probable cause that an offense has been committed; and
 - b. encourage arrests of offenders who violate the terms of a valid and outstanding protection order;
2. The laws, policies, or practices and the training programs of **[the jurisdiction]** discourage dual arrests of offender and victim;
3. The laws, policies, or practices of **[the jurisdiction]** prohibit issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense;
4. The laws, policies, and practices of **[the jurisdiction]** do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, dating 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, modification, enforcement, dismissal 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;
5. 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, trial of, or sentencing for 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, trial of, or sentencing for the offense.

Sincerely,

Name
Title [Chief Executive Officer]

SAMPLE CERTIFICATION OF ELIGIBILITY (1 OF 3)
For States, Indian Tribal Governments, or Units of Local Government that
WILL COME INTO COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Certification of Eligibility

Dear Director:

As Chief Executive Officer of **[State, Tribe, or jurisdiction name]**, I submit this letter to certify **[State, Tribe, or jurisdiction name]** will come into compliance to the following by the end of the next legislative session which will take place between **[beginning to end date of the legislative session]**:

1. the laws or official policies of **[the jurisdiction]**:
 - a. encourage arrests of domestic violence, dating violence, sexual assault, and stalking offenders based on probable cause that an offense has been committed; and
 - b. encourage arrests of offenders who violate the terms of a valid and outstanding protection order;
2. the laws, policies, or practices and the training programs of **[the jurisdiction]** discourage dual arrests of offender and victim;
3. the laws, policies, or practices of **[the jurisdiction]** prohibit issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense;
4. the laws, policies, and practices of **[the jurisdiction]** do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, dating 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, modification, enforcement, dismissal 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;
5. 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, trial of, or sentencing for 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, trial of, or sentencing for the offense.

Sincerely,

Name
Title [Chief Executive Officer]

SAMPLE PROSECUTION CERTIFICATION (2 of 3)
For States, Indian Tribal Governments, or Unit of Local Governments
CURRENTLY IN COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Prosecution Certification

Dear Director:

As Chief Executive Officer of **[State, Tribe, or jurisdiction name]**, I certify that **[jurisdiction]** is currently and fully in compliance with 34 U.S.C. 10461(c)(1)(F) and that the laws, policies, and practices of **[the jurisdiction]** ensure that prosecutor's' offices engage in planning, developing, and implementing:

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

Sincerely,

Name
Title [Chief Executive Officer]

SAMPLE PROSECUTION CERTIFICATION (2 of 3)
For States, Indian Tribal Governments, or Unit of Local Governments that
WILL COME INTO COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Prosecution Certification

Dear Director:

As Chief Executive Officer of **[State, Tribe, or jurisdiction name]**, I submit this letter to certify that **[State, Tribe, or jurisdiction name]** will come into compliance with the following, no later than three (3) years after the date on which the applicant receives its first ICJR Program award after March 15, 2022, that the laws, policies, and practices of **[the jurisdiction]** will ensure that prosecutor's offices engage in planning, developing, and implementing:

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

Sincerely,

Name
Title [Chief Executive Officer]

SAMPLE MINOR CERTIFICATION (3 of 3)
For States, Indian Tribal Governments, or Unit of Local Governments
CURRENTLY IN COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Minor Certification

Dear Director:

As Chief Executive Officer of **[State, Tribe, or jurisdiction name]**, I certify that the laws, policies, and practices of **[State, Tribe, or jurisdiction name]** prohibit the prosecution of a minor under the age of 18 with respect to prostitution.

Sincerely,

Name

Title [Chief Executive Officer]

SAMPLE MINOR CERTIFICATION (3 of 3)
For States, Indian Tribal Governments, or Unit of Local Governments that
WILL COME INTO COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against
Women 145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Minor Certification

Dear Director:

As Chief Executive Officer of **[State, Tribe, or jurisdiction name]**, I submit this letter to certify that **[State, Tribe, or jurisdiction name]** will come into compliance with the following by the end of the next legislative session, which will take place between **[beginning to end date of the legislative session]**:

- a. the laws, policies, and practices of **[the jurisdiction]** prohibit the prosecution of a minor under the age of 18 with respect to prostitution.

Sincerely,

Name
Title [Chief Executive Officer]