

Improving Criminal Justice Response Program

Certification of Eligibility Letter

Samples and Instructions

Instructions

- The “Certification of Eligibility” letter is required of all applicants.
- There are two sample “Certification of Eligibility” letters based on government entity type:
 - Courts
 - States, Tribes, and Units of Local Government
- The “Certification of Eligibility” letter must be submitted on the letterhead of the governmental agency (state, tribe, unit of local government, or court) appropriate to the service area.
- The Chief Executive Officer of the governmental agency ***must*** sign the letter. “Chief Executive Officer” means the highest official of a state, tribe, local jurisdiction, or court. Examples: Governor for a state applicant; Chief Judge or Court Administrator for a court applicant; Mayor or County Executive for a unit of local government applicant; or Tribal Chairman for a tribal government applicant.
- If the lead applicant is a victim service provider or a coalition, the “Certification of Eligibility” letter must be signed by the chief executive officer of a state, tribe, or unit of local government partner on government agency letterhead. Victim service provider or coalition applicants cannot submit a “Certification of Eligibility” letter from a court.
- Applicants must ensure that all language in the letter accurately reflects what is required in the solicitation, and is consistent with the laws, policies, or practice of the governmental entity.
- Use of the sample template letter is highly encouraged to the extent possible, assuming that it is true for the applicant jurisdiction.

Sample Certification of Eligibility Letter for COURTS

[Court Letterhead]

[Date]

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

Re: Improving Criminal Justice Responses Program Certification of Eligibility

Dear Director:

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

1. the laws, policies, or practices applicable to the court 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;
2. the laws, policies, and practices applicable to the court 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;
3. the laws, policies or practices applicable to the court 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 Letter for
STATES, TRIBES, and UNITS of LOCAL GOVERNMENT**

[Government Letterhead]

[Date]

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

Re: Improving Criminal Justice Responses Program Certification of Eligibility

Dear Director:

As Chief Executive Officer of **[enter state, tribe, or 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 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;
5. 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; and
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, 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]