

# S.T.O.P. VIOLENCE AGAINST WOMEN ACT (S.T.O.P. VAWA) Eligibility Guidelines and Allowable Activities

## Purpose

The overall purpose of the S.T.O.P. VAWA program is to coordinate and integrate law enforcement, prosecution, judicial efforts, and victim services to identify and respond to crimes of violence against women. Federal financial assistance is provided to states for developing and strengthening effective law enforcement, prosecution, and judicial strategies and victim services in cases involving violent crimes against women, defined as domestic violence, dating violence, sexual assault, and stalking.

## Allocation of Funds

Each state must allocate the VAWA funds in the following manner:

25% for prosecution projects

25% for law enforcement projects

30% for victim services projects (10% of which must be distributed to programs whose primary purpose is to work with culturally specific populations - defined as racial and ethnic minorities)

5% to state and local courts

## Match Requirements

Federal VAWA statutes require all applicant agencies, *except nonprofit victim services providers and tribes\**, to provide matching funds for their VAWA project. 25% of the total VAWA project budget must be provided in cash or in-kind match. These funds may be either cash match from a non-federal source or in-kind match, which consists of non-cash donations. The match must be spent on VAWA project activities and must be expended within the grant period.

## Federal Purpose Areas

Projects funded with federal VAWA funds must meet one or more of the following **twenty** federal purpose areas. These federal purpose areas are not listed in any particular order of importance.

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 1101(a) (15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims.
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions,

and convictions for violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.

5. Developing, enlarging, or strengthening victim services and legal assistance programs, including sexual assault, domestic violence, dating violence, and stalking programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of domestic violence, dating violence, sexual assault, and stalking.
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.
7. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, dating violence, and stalking.
8. Training of sexual assault forensic medical personnel/examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
9. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence, dating violence, sexual assault, or stalking, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.
10. Providing assistance to victims of domestic violence and sexual assault in immigration matters.
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families.
12. Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities
  - a. developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
  - b. notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
  - c. referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
  - d. taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.
13. Providing funding to law enforcement agencies, victim services providers, and State, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote:
  - a. the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;

- b. the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003));
- c. the development of such protocols in collaboration with State, tribal, territorial and local victim service providers and domestic violence coalitions.

Note: Any law enforcement, State, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program under paragraph (13) shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of 2 years, provide a report of the adopted protocol to the Department of Justice, including a summary of progress in implementing such protocol.

14. Developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.
15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.
16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.
17. Developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings.
18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.
19. Developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code.
20. Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.

### Eligible Services

A wide variety of services are eligible to be paid with S.T.O.P. VAWA funds. The following list is an example of these services by funding category. This list is not all inclusive.

**Victim Services:** Hotline services, crisis intervention, hospital response, counseling/support, criminal justice advocacy, court accompaniment, civil legal assistance, victim/witness notification, victim/survivor advocacy, emergency shelter, and restraining order assistance.

**Law Enforcement Services:** Response to 911 and other calls for assistance, incident reports, case investigation, arrests of offenders - including bail bond and probation violations, serving protection orders, issuing protection orders, enforcement of warrants, case referrals to prosecutor, and case referrals of federal firearms charges to federal prosecutor.

**Prosecution Services:** Domestic violence fast track prosecutions, specialized prosecutor for domestic violence and/or sexual assault cases, specialized investigations for domestic violence/sexual assault cases, training, mentoring, and participation on multidisciplinary committees to address domestic violence, sexual

assault, stalking and dating violence.

**Court Services:** Tracking of domestic violence, sexual assault, stalking and dating violence offenders; specialized training programs; and specialized court activities as they relate to domestic violence, sexual assault, stalking and dating violence cases (e.g. benchbook updates).

**Discretionary Services:** Sexual Assault Nurse Examiner (SANE) services, Sexual Assault Forensic Examiner (SAFE) services, coordination of multidisciplinary teams/taskforces, Batterer's Intervention Programs, prevention/education activities and training activities.

**Unallowable Costs & Activities include, but may not be limited to:**

- Lobbying
- Physical modifications to buildings, including minor renovations
- Research projects
- Fundraising
- Immigration fees
- Activities that compromise victim safety (e.g. couples counseling, etc.)
- Most food and refreshments
- Overtime pay, unless authorized in advance, in writing
- Law enforcement equipment

**VAWA 2013 Reauthorization**

The federal statutes that oversee the VAWA program were reauthorized by Congress in calendar year 2013. There are several changes that impact the VAWA program as a result of the reauthorization. These include the following:

1. The minimum age to receive services through a VAWA-funded program has been reduced from 13 to 11 years old.
2. A small percentage of VAWA funds (5%) *may* be used for prevention and educational programs that address domestic violence, dating violence, sexual assault or stalking.
3. Twenty percent of the grant funds must be used for sexual assault programs.
4. The addition of new purpose areas (numbers 14 - 20 above) that expand the types of programs that can be funded through VAWA.
5. New definitions regarding: culturally specific and population specific.
  - a. **Culturally specific** now means racial and ethnic minorities from the following racial/ethnic groups: American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics (individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South America, or any other Spanish-speaking country).
  - b. **Population specific** now means programs that primarily serve a specific, underserved population because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, or populations underserved because of special needs (such as language barriers, disabilities, immigration status, or age).
6. Ten percent of the amount allocated for victim services must be allocated to programs whose primary purpose is to serve *culturally specific* populations. There is no minimum allocation requirement of VAWA funds for population specific programs.

