

2014 – Sexual Assault Response Project (SARP) Special Conditions

1. Commencement within 60 Days. If the Division concludes that the project has not commenced within 60 days of the start date of the grant period, the grantee must report the following by letter to the Division of Criminal Justice: the steps taken to initiate the project; the reasons for delay; and, the expected starting date.
2. Operational Within 80 Days. If the Division concludes that the project is not operational within 80 days of the original start date of the grant period, the Division of Criminal Justice may begin termination or reduction in grant award proceedings.
3. The Community Coordinator will ensure that the participating community's SART will develop policies and protocols determined to be appropriate by the Community Coordinator, SART members, and the DCJ Project Coordinator.
4. The Community Coordinator will collect data specified by the DCJ Project Coordinator necessary for the evaluation of the SART and medical forensic exam programs.
5. The Community Coordinator, in conjunction with the SART members and the DCJ Project Coordinator, will develop a sustainability plan by the end of the grant period.
6. The capacity for Department of Justice, Office on Violence Against Women funds to provide future continuation dollars for projects is undetermined at this time. Grantee Agencies are advised to seek other funding sources, especially for personnel dollars.
7. The Grantee Agency certifies that the signing authorities, all staff and volunteers assigned to the VAWA- funded project have read state laws and applicable rules of professional conduct related to issues of confidentiality and privilege, particularly with respect to releasing identifying information about victims of crime, including but not limited to, those found in. Section 13-90-107, C.R.S.
8. The grantee Agency certifies that the signing authorities, all staff and volunteers assigned to the VAWA-funded project understand that disclosure of personally identifying information about victims served with VAWA funds is prohibited without a written release, court order or statutory requirement.
9. Grantee understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express prior written approval of OVW, in order to avoid violation of 18 USC § 1913. The Grantee may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in **42 USC 13925(a)**) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.

Revision 10/27/2017

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10. The grantee Agency understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OVW.
11. Pursuant to Executive Order 13513, “Federal Leadership on Reducing Text Messaging While Driving”, 74 Fed. Reg. 51225 (October 1, 2009), the State encourages the Grantee Agency to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
12. The grantee understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ovw.usdoj.gov/grantees.html>.
13. The grantee understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
14. The grantee understands and agrees that: (a) no award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
15. The Violence Against Women Reauthorization Act of 2013 added a new civil rights provision that applies to all OVW grants issued in FY 2014 or after. This provision prohibits OVW grantees from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. The grantee acknowledges that it will comply with this provision.
16. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, trainings, and other events), including the provision of food and/ or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at <http://www.ovw.usdoj.gov/grantees.html>.
17. The grantee agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, and OVW's implementing regulations at 28 CFR Part 90.

18. The grantee agrees to comply with the provisions of **42 U.S.C. 13925(b)(2)**, nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The grantee also agrees to ensure that any subgrantees meet these requirements.

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19. The grantee agrees that grant funds will not support activities that compromise victim safety and recovery, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; pre-trial diversion programs not approved by OVW or the placement of offenders in such programs; mediation, couples counseling, family counseling or any other manner of joint victim-offender counseling; mandatory counseling for victims, penalizing victims who refuse to testify, or promoting procedures that would require victims to seek legal sanctions against their abusers (e.g., seek a protection order, file formal complaint); the placement of perpetrators in anger management programs; or any other activities outlined in the solicitation under which the approved application was submitted.
 20. Pursuant to 28 CFR §66.34, the Office on Violence Against Women reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, in whole or in part (including in the creation of derivative works), for Federal Government purposes:
 21. (a) any work that is subject to copyright and was developed under this award, subaward, contract or subcontract pursuant to this award; and
 22. (b) any work that is subject to copyright for which ownership was purchased by a recipient, subrecipient or a contractor with support under this award.
 23. In addition, the recipient (or subrecipient, contractor or subcontractor) must obtain advance written approval from the Office on Violence Against Women program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award. It is the responsibility of the recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.
 24. The grantee agrees that any victim service provider (except tribal governmental organizations or governmental rape crisis centers not in territories) or population specific organization meeting the mandatory partnership requirement will be an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code.
 25. The grantee agrees that funds will not be used for prevention activities (e.g., outreach to elementary and secondary schools, implementation of educational programs regarding

domestic and dating violence intervention, and public awareness campaigns). The grantee may use funds to provide outreach regarding the specific services offered under the grant.