

**Arizona Department of Public Safety  
Victims of Crime Act  
Crime Victim Assistance Grant**

**GUIDELINES**



**Arizona Department of Public Safety  
VOCA Administration Unit, Mail Drop 3915  
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Phoenix, Arizona 85005-6638**

**THIS DOCUMENT SHOULD BE RETAINED ALONG WITH PERMANENT  
AGENCY VOCA GRANT RECORDS.**

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# ARIZONA DEPARTMENT OF PUBLIC SAFETY

## VICTIMS OF CRIME ACT (VOCA) CRIME VICTIM ASSISTANCE GRANT VOCA GUIDELINES

The Arizona Department of Public Safety (DPS), VOCA Administration Unit, is issuing VOCA Guidelines to implement the VOCA Victim Assistance grant program as authorized by the Victims of Crime Act of 1984. *See* 34 U.S.C. 20103. The VOCA Guidelines provide information on the administration and implementation of the VOCA assistance grant program for the state of Arizona pursuant to Arizona Revised Statute (ARS) 41-1711, as amended. These guidelines are all inclusive and effective upon publication for the VOCA victim assistance grant program, until further revised by DPS.

DPS supports and promotes quality services for crime victims by partnering with local agencies throughout Arizona that perform the essential work of victim assistance. The provision of rights and mandated services outlined in Arizona's Constitution and the Victims' Rights Act provide the beginning of a foundation of important services to crime victims.

**FOR FURTHER INFORMATION CONTACT:** The Arizona Department of Public Safety, VOCA Administration Unit, Mail Drop 3915, PO Box 6638, Phoenix, Arizona 85005-6638.

**EFFECTIVE DATE:** These guidelines are in effect for grants beginning October 1, 2020, until further revised by DPS. These guidelines must be adhered to when completing an application for funding for the Request for Grant Application process for federal fiscal years 2021, 2022, and 2023.

### PREFACE

Since 2015, Congress has made large amounts of VOCA Victim Assistance funding available to states and territories for services that address the needs of crime victims. Initially, the balance of the Crime Victim Fund (Fund) at the federal level was substantial (approximately \$12 billion), thus supporting the continuance of large funding disbursements for programs and services over the past five years. However, the current balance is significantly less (approximately \$4.4 billion) due to the large awards being disbursed as well as fewer deposits of federal fines and fees into the Fund. With approximately \$2.5 billion withdrawn each year, future award amounts are unpredictable.

Given the current environment, agencies and organizations should consider the health of the Fund when submitting grant applications. DPS encourages agencies and organizations to be mindful of the sustainability of projects which are reliant upon VOCA funding and to seek diversification of fund sources.

DPS is releasing this open and competitive FFY 2021, 2022, and 2023 grant solicitation process with the goal of sustaining current service levels for the next three years. It is anticipated that \$41.2

million will be awarded each fiscal year, for an approximate total of \$123.6 million over the course of the three fiscal years (contingent upon federal funding availability).

In 2017, the Arizona State Agencies Coordinating Team (AZSACT) hosted a series of Community Conversations around the state to identify underserved victims of crime and barriers or challenges victims face when accessing services. During those conversations, Arizona communities identified the following underserved victim populations: youth/teens, undocumented individuals, non-English speaking, Native Americans, individuals with disabilities, individuals in geographically remote locations, LGBTQ+ populations, individuals with mental illness and substance use issues, men/boys, and services for youth aging out of foster care. Therefore, DPS encourages applications that address the needs of these victim populations.

Furthermore, the DPS-VOCA Annual Assistance Survey solicits feedback from subrecipient agencies regarding the availability and need for services in their respective geographic areas. Survey data identified the following gaps in services: housing needs (e.g., shelter/safe house, transitional housing, emergency hotel nights, relocation assistance), interpreter/sign language, emergency financial assistance, emergency legal advocacy, transportation, and childcare. Therefore, DPS encourages applications for eligible costs and services that help to address these needs.

## UPDATES TO THE DPS-VOCA GUIDELINES

Substantive changes have been made to a few sections of these guidelines – those sections that have been changed are listed below. Additionally, minor changes (formatting, statutory references, updates to hyperlinks, etc.) were also made; however, those changes are not listed below.

1. Section III. C. 4. Victim Compensation Training – Only training from the Arizona Criminal Justice Commission’s online portal meets this requirement.
2. Section IV. C. 4. Discounts – Documentation reflecting the reduction and/or discount must be maintained.
3. Section V. A. 1. e. Client Assistance – Unused VOCA funds allocated for client assistance purposes cannot be reprogrammed to other line items.
4. Section V. A. 11. Transitional Housing – Unused VOCA funds allocated for transitional housing purposes cannot be reprogrammed to other line items.
5. Section V. A. 12. Relocation – Unused VOCA funds allocated for relocation purposes cannot be reprogrammed to other line items.
6. Section V. C. 1. b. Exempt employees – Example added.
7. Section V. C. 6. k. Essential communication services – Policies and procedures are required for cell phone and other wireless devices in reference to usage and reimbursement of cell phone stipends.
8. Section V. C. 11. Indirect Organization Costs – Unused VOCA funds allocated for indirect cost purposes cannot be reprogrammed to other line items.
9. Section VI. B. 1. Subgrant Award Report – This report is due no later than October 30<sup>th</sup> of Year 2 and Year 3 of the grant cycle.
10. Section VI. B. 4. Final Request to Reprogram Funds – All requests to reprogram funds must be completed no later than June 30<sup>th</sup>. Requests submitted after this deadline will not be considered unless they are for emergency client assistance needs.

11. Section VI. B. 5. Year-end Agreement Amendment – Final year-end amendments will be required for the purpose of reconciling the SAGE budget to actual expenditures reported via the Monthly Financial Reports. Year-end amendments are due in conjunction with the final Monthly Financial Report which is due no later than October 15<sup>th</sup>.
12. Section VI. E. Funding Acknowledgement – The funding acknowledgement for printed materials, press releases, materials publicizing award activities has changed. For new language see this section.

The implementation of the final rules reorganizes the program rules into six major divisions: I) General Provisions; II) VOCA Victim Assistance Application Process; III) Subrecipient Program Requirements; IV) Subrecipient Project Requirements; V) Subrecipient Allowable/Unallowable Costs; and VI) Subrecipient Responsibilities.

## I. GENERAL PROVISIONS

### A. Background

In 1984, VOCA established the Crime Victims Fund (Fund) in the US Treasury and authorized the Fund to receive deposits of fines and penalties levied against criminals convicted of federal crimes. This Fund provides the source of funding for carrying out all the activities authorized by VOCA for the award of crime victim compensation and crime victim assistance funds to the states. VOCA gives the states sole authority to determine the best use of VOCA victim assistance grant funds within each state.

### B. Definitions

For the purpose of the VOCA grant program, the following definitions apply:

*Consultant* is an individual who provides professional advice or services.

*Crime victim or victim of crime* means a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime to include incarcerated victims and those who are victimized while working in their official capacities overseas.

*Direct services or services to victims of crime* including, but not limited to, those services described in 34 U.S.C. 20103(d)(2), such as:

- crisis intervention services,
- providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures;
- assistance in participating in criminal justice proceedings;
- payment of all reasonable costs for a forensic medical examination of a crime victim, to the extent that such costs are otherwise not reimbursed or paid;

and efforts that—

- (1) Respond to the emotional, psychological, or physical needs of crime victims;
- (2) Assist victims to stabilize their lives after victimization;
- (3) Assist victims to understand and participate in the criminal justice system; or
- (4) Restore a measure of security and safety for the victim.

*DPS* means the Arizona Department of Public Safety.

*OVC* means the Office for Victims of Crime, within the United States Department of Justice's Office of Justice Programs.

*Project* means the direct services project funded by a grant under this program, unless context indicates otherwise.

*Spousal abuse* includes domestic and intimate partner violence.

*State Administering Agency* or *SAA* means the governmental unit designated by the chief executive of a State to administer grant funds under this program.

*Subrecipient* means an entity that is eligible to receive grant funds under this program from a State under this subpart.

*Supplanting* means to deliberately reduce state or local funds because of the existence of federal funds.

*Victim of child abuse* means a victim of crime, where such crime involved an act or omission considered to be child abuse under the law of the relevant SAA jurisdiction. In addition, for purposes of this program, victims of child abuse may include, but are not limited to, child victims of: physical, sexual, or emotional abuse; child pornography related offenses; neglect; commercial sexual exploitation; bullying; and/or exposure to violence.

*Victim of federal crime* means a victim of an offense in violation of a federal criminal statute or regulation, including, but not limited to, offenses that occur in an area where the federal government has jurisdiction, whether in the United States or abroad, such as Indian reservations, national parks, federal buildings, and military installations.

*VOCA* means the Victims of Crime Act of 1984, Public Law 98-473 (Oct. 12, 1984), as amended.

*VOCA funds* or *VOCA funding* means grant funds (or grant funding) under this program.

*VOCA grant* means the annual grant from OVC to a State under this program.

## II. VOCA VICTIM ASSISTANCE APPLICATION PROCESS

### A. Subrecipient Application Process

DPS issues a funding notice outlining the availability of grant program funding. Applicants will submit applications through the System for Administering Grants Effectively (SAGE) at <https://sage.azdps.gov>. Applications must be submitted on or before the stated deadline as determined by DPS. Applications are reviewed and evaluated based upon:

1. Compliance with the Victims of Crime Act and state program guidelines;
2. Completeness and clarity with which it addresses each section of the application;
3. Scope of the proposal in terms of the potential number of victims to be provided with appropriate services;
4. The overall concept, feasibility and likelihood of success of the proposal through the applicant's program and fiscal structure;
5. Accountability within the organization leading to quality service delivery; and
6. A budget which represents reasonable grant expenditures and a cost-effective proposal.

An applicant's past financial/program reporting history and program compliance may impact the final funding decision.

Applicants will receive notice of award or denial via email.

### B. Protest of Funding Decisions

An appeal shall comply with and be resolved according to A.R.S. 41-2704 and rules adopted there under. Protests shall be made in writing to the DPS Director within ten (10) calendar days from the date of the email notification. The protests shall include:

1. The name, address and telephone number of the protester;
2. The signature of the protester or its representative;
3. A detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
4. the form of relief requested.

The protester cannot provide additional information that was not included in the original application.

### III. SUBRECIPIENT PROGRAM REQUIREMENTS

#### A. Eligible Crime Victim Assistance Programs

DPS may award VOCA funds only to crime victim assistance programs that meet the requirements of VOCA, at 34 U.S.C. 20103(b)(1), and this subpart. A victim assistance program is an eligible crime victim assistance program for the purposes of this section if such program—

1. is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or of both such agencies and organizations, and provides services to victims of crime;
2. demonstrates—
  - a. a record of providing effective services to victims of crime and financial support from sources other than the Fund; or
  - b. substantial financial support from sources other than the Fund; (see Section III (B)(2) *Organizational capacity of the program* for further definition of demonstration factors)
3. utilizes volunteers in providing such services, unless and to the extent DPS determines that compelling reasons exist to waive this requirement;
4. promotes within the community served coordinated public and private efforts to aid crime victims;
5. assists potential recipients in seeking crime victim compensation benefits; and
6. does not discriminate against victims because they disagree with the way the State is prosecuting the criminal case.

Each such program shall abide by any additional criteria or reporting requirements established by DPS.

Federal agencies, including the US Attorney's Offices and FBI Field Offices, are not eligible for VOCA Victim Assistance funds, other than for those identified in 34 U.S.C. 20103(a)(6).

#### B. Types of Eligible Organizations and Organizational Capacity

1. *Eligible programs.* Eligible programs include victim services organizations whose sole mission is to provide direct services to crime victims. These organizations include, but are not limited to, police departments, county attorney offices, sexual assault and rape treatment centers, domestic violence programs and shelters, child abuse programs and children's advocacy centers, mental health programs, and other community-based victim organizations including those who serve survivors of homicide victims. Eligible programs are not limited to entities whose sole purpose is to provide

direct services, however occasional counseling or occasional victim assistance would not qualify for eligibility. There are special considerations for certain types of entities, as described below:

- a. Faith-based and neighborhood programs. VOCA funds may be awarded to otherwise eligible faith-based and neighborhood programs, but in receiving such awards, subrecipients shall ensure that such projects comply with all applicable federal law, including, but not limited to, 28 CFR Chapter I Part 38.
- b. Crime victim compensation programs. VOCA funds may be awarded to compensation programs only for the purpose of providing direct services that extend beyond the essential duties of the staff administering the compensation program, which services may include, but are not limited to, crisis intervention, counseling, and providing information, referrals, and follow-up for crime victims.
- c. Victim service organizations located in an adjacent State. DPS may award VOCA funds to otherwise eligible programs that are physically located in an adjacent State, but in making such awards, DPS shall provide notice of such award to the SAA of the adjacent State, and coordinate, as appropriate, to ensure effective provision of services, monitoring, auditing of federal funds, compliance, and reporting.

2. *Organizational capacity of the program.* For purposes of VOCA, the following shall apply:

- a. Record of effective services to victims of crime and support from sources other than the Crime Victims Fund. A program has demonstrated a record of effective direct services and support from sources other than the Crime Victims Fund when, for example, it demonstrates the support and approval of its direct services by the community, its history of providing direct services in a cost effective manner, and the breadth or depth of its financial support from sources other than the Crime Victims Fund.
- b. Substantial financial support from sources other than the Crime Victims Fund. A program has substantial financial support from sources other than the Crime Victims Fund when at least twenty-five percent of the program's funding in the year of, or the year preceding the award comes from such sources, which may include other federal funding programs. If the funding is non-federal (or meets the DOJ Grants Financial Guide exceptions for using federal funding for match), then a program may count the used funding to demonstrate non-VOCA substantial financial support toward its project match requirement.

### **C. Use of Volunteers, Community Efforts, Compensation Assistance, Victims' Rights**

1. *Mandated use of volunteers; waiver.* Programs shall use volunteers, to the extent required by DPS, in order to be eligible for VOCA funds. DPS may waive this requirement, provided that the program submits written documentation of its efforts to recruit and maintain volunteers, or otherwise demonstrates why circumstances prohibit the use of volunteers, to the satisfaction of DPS.

2. *Waiver of use of volunteers.* Subrecipients shall maintain documentation supporting any waiver granted under VOCA, at 34 U.S.C. 20103(b)(1)(C), relating to the use of volunteers by programs.

3. *Promotion of community efforts to aid crime victims.* Programs shall promote community efforts to aid crime victims. Community served coordinated public and private efforts to aid crime victims may include, but are not limited to, serving on federal, State, local, or tribal work groups to oversee and recommend improvements to community responses to crime victims and developing written agreements and protocols for such responses.

4. *Assistance to victims in applying for compensation.* Programs shall assist crime victims in applying for compensation benefits. Assistance to potential recipients of crime victim compensation benefits (including potential recipients who are victims of federal crime) in applying for such benefits may include, but is not limited to, referring such potential recipients to an organization that can so assist, identifying crime victims and advising them of the availability of such benefits, assisting such potential recipients with application forms and procedures, obtaining necessary documentation, monitoring claim status, and intervening on behalf of such potential recipients with the crime victims' compensation program.

Victim Compensation Training: Subrecipients will designate a victim compensation coordinator within their agency. This coordinator must have completed the Arizona Criminal Justice Commission's (ACJC) online training. To access the training, refer to the Subrecipient Required Trainings document listed under My Training Materials in SAGE. If this training has not been received, subrecipients will ensure training has been received within 90 days from the start of the subgrant award agreement or 90 days after re-assignment of new staff in this role. DPS recommends that all direct service staff complete the ACJC online training, thereby enhancing each staff member's ability to assist victims with the Crime Victim Compensation application process.

5. *Inform Victims of their Legal Rights:* Programs shall notify victims of their legal rights (A.R.S. Title 13, Chapter 40 Crime Victims' Rights and A.R.S. Title 8, Chapter 3, Article 7 Victims' Rights for Juvenile Offenses) and offer to connect the victim with a representative from the prosecutor's or county attorney's office if the victim so chooses.

Victims' Rights Presentation: All VOCA-funded and match staff and their first line supervisor must attend a victims' rights presentation from the Arizona Attorney General's Office. For further information, refer to the Subrecipient Required Trainings document listed under My Training Materials in SAGE.

#### **D. Non-Disclosure of Confidential or Private Information**

1. *Confidentiality.* Subrecipients of VOCA funds shall, to the extent permitted by law, reasonably protect the confidentiality and privacy of persons receiving services under this program and shall not disclose, reveal, or release, except pursuant to paragraphs 2 and 3 of this section—

a. Any personally identifying information or individual information collected in connection with VOCA-funded services requested, utilized, or denied, regardless of whether such information has been encoded, encrypted, hashed, or otherwise protected; or

b. Individual client information, without the informed, written, reasonably time-limited consent of the person about whom information is sought, except that consent for release may

not be given by the abuser of a minor, incapacitated person, or the abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without a parent's (or the guardian's) consent, the minor or person with a guardian may consent to release of information without additional consent from the parent or guardian.

2. *Release.* If release of information described in paragraph (1)(b) of this section is compelled by statutory or court mandate, subrecipients of VOCA funds shall make reasonable attempts to provide notice to victims affected by the disclosure of the information, and take reasonable steps necessary to protect the privacy and safety of the persons affected by the release of the information.

3. *Information sharing.* Subrecipients may share—

- a. Non-personally identifying data in the aggregate regarding services to their clients and non-personally identifying demographic information in order to comply with reporting, evaluation, or data collection requirements;
- b. Court-generated information and law enforcement-generated information contained in secure governmental registries for protection order enforcement purposes; and
- c. Law enforcement- and prosecution-generated information necessary for law enforcement and prosecution purposes.

4. *Personally identifying information.* In no circumstances may—

- a. A crime victim be required to provide a consent to release personally identifying information as a condition of eligibility for VOCA-funded services;
- b. Any personally identifying information be shared in order to comply with reporting, evaluation, or data-collection requirements of any program;

5. *Mandatory reporting.* Nothing in this section prohibits compliance with legally mandated reporting of abuse or neglect.

## IV. SUBRECIPIENT PROJECT REQUIREMENTS

### A. Purpose of VOCA-Funded Projects

VOCA funds shall be available to subrecipients only to provide direct services and supporting and administrative activities as set out in this subpart. DPS shall ensure that VOCA subrecipients obligate and expend funds in accordance with VOCA and this subpart. Subrecipients must provide services to victims of federal crimes on the same basis as to victims of crimes under State or local law. Subrecipients may provide direct services regardless of a victim's participation in the criminal justice process. Victim eligibility under this program for direct services is not dependent on the victim's immigration status.

VOCA funds awarded to eligible crime victim assistance programs must not be used to supplant State and local government funds otherwise available for crime victim assistance.

### B. No Charge to Victims for VOCA-Funded Services

Subrecipients must provide services to crime victims, at no charge, through the VOCA-funded project. The purpose of the VOCA victim assistance grant program is to provide services to all crime victims regardless of their ability to pay for services rendered or availability of insurance or other third-party payment resources. Crime victims suffer tremendous emotional, physical, and financial losses. It was never the intent of VOCA to exacerbate the impact of the crime by asking the victim to pay for services.

### C. Project Match Requirements

Requiring project match serves several purposes including leveraging federal funding, indicating organizational capacity, and encouraging local investment and engagement in VOCA-funded projects. However, communities often lack victim services, have great victim service needs, and are more often likely to have difficulty meeting match requirements, therefore:

*1. Project match amount.* Subrecipients shall contribute (*i.e.*, match) not less than twenty percent (cash or in-kind) of the total cost of each project (VOCA grant plus match), except as provided in paragraph 2 of this section. Match must be provided on a project-by-project basis.

*2. Exceptions to project match requirement.* The following are not subject to the requirement set forth in paragraph 1 of this section:

- a. Subrecipients that are federally-recognized American Indian or Alaska Native tribes or projects that operate exclusively on tribal lands;
- b. Subrecipients that are territories or possessions of the United States (except for the Commonwealth of Puerto Rico), or projects that operate therein; and
- c. Subrecipients other than those described in paragraphs (2)(a) and (b) of this section, may apply for a match waiver (in full or in part) if the subrecipient can demonstrate an extraordinary need for the match requirement to be waived. Waiver requests must be

justified in writing. DPS typically considers factors such as local resources, annual budget changes, past ability to provide match, and whether the funding is for new or additional activities requiring additional match versus continuing activities where match is already provided.

3. *Sources of project match.* Contributions under paragraph (a) of this section shall be derived from non-federal sources, except as may be provided in the DOJ Grants Financial Guide, and may include, but are not limited to, the following:

- a. Cash - i.e., the value of direct funding for the project;
- b. Volunteered professional or personal services - (if the services they provide are an integral and necessary part of a funded project), the value placed on which shall be consistent with the rate of compensation (which may include mandatory fringe benefits) paid for similar work in the program, but if the similar work is not performed in the program, the rate of compensation shall be consistent with the rate found in the labor market in which the program competes;
- c. Materials/Equipment - the value placed on lent or donated equipment shall not exceed its fair market value;
- d. Space and facilities - the value placed on which shall not exceed the fair rental value of comparable space and facilities as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality; and
- e. Non-VOCA funded victim assistance activities - including but not limited to, performing direct service, coordinating, or supervising those services, training victim assistance providers, or advocating for victims.

4. *Discounts.* Any reduction or discount provided to the subrecipient shall be valued as the difference between what the subrecipient paid and what the provider's nominal or fair market value is for the good or service. Documentation reflecting the reduction and/or discount must be maintained.

5. *Use of project match.* Contributions under paragraph (a) of this section are restricted to the same uses, and timing deadlines for obligation and expenditure, as the project's VOCA funding.

6. *Recordkeeping for project match.* Each subrecipient shall maintain records that clearly show the source and amount of the contributions under paragraph (a) of this section, and period of time for which such contributions were allocated. The basis for determining the value of personal services, materials, equipment, and space and facilities shall be documented. Volunteer services shall be substantiated by the same methods used by the subrecipient for its paid employees (generally, this should include timesheets substantiating time worked on the project).

## V. SUBRECIPIENT ALLOWABLE/UNALLOWABLE COSTS

### A. Allowable Direct Service Costs

Direct services for which VOCA funds may be used include, but are not limited to, the following:

1. *Immediate emotional, psychological, and physical health and safety* — Services that respond to immediate needs (other than medical care, except as allowed under paragraph (A)(7) of this section) of crime victims, including, but not limited to:

- a. Crisis intervention services;
- b. Accompanying victims to hospitals for medical examinations;
- c. Hotline counseling;
- d. Safety planning;
- e. Client Assistance (emergency food, emergency shelter, and transportation assistance) - applicants that receive funding for client assistance are required to submit the policies, procedures, and rules governing the provision of the assistance for review and approval (post award). Subrecipients will be required to revise anything that DPS determines to be unallowable or does not conform to appropriate internal controls. Additionally, unused VOCA funds allocated for client assistance purposes cannot be reprogrammed to other line items;
- f. Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed;
- g. Short-term (up to 45 days) nursing-home, adult foster care, or group-home placement for adults for whom no other safe, short-term residence is available;
- h. Window, door, or lock replacement or repair, and other repairs necessary to ensure a victim's safety;
- i. Costs on an emergency basis - Costs of the following, on an emergency basis (i.e., when the State's compensation program, the victim's (or in the case of a minor child, the victim's parent's or guardian's) health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency needs of a victim (typically within 48 hours of the crime)): non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheelchairs, crutches, hearing aids, eyeglasses), and other healthcare items are allowed; and
- j. Emergency legal assistance, such as for filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights;

2. *Personal advocacy and emotional support* — Personal advocacy and emotional support, including, but not limited to:

- a. Working with a victim to assess the impact of the crime;
- b. Identification of victim's needs;
- c. Case management;
- d. Management of practical problems created by the victimization;
- e. Identification of resources available to the victim;
- f. Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed; and
- g. Traditional, cultural, and/or alternative therapy/healing (e.g., art therapy, yoga);

3. *Mental health counseling and care* — Mental health counseling and care, including, but not limited to, out-patient therapy/counseling (including, but not limited to, substance-abuse treatment so long as the treatment is directly related to the victimization) provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered;

4. *Peer-support* — Peer-support, including, but not limited to, activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support;

5. *Facilitation of participation in criminal justice and other public proceedings* arising from the crime — The provision of services and payment of costs that help victims participate in the criminal justice system and in other public proceedings arising from the crime (e.g., juvenile justice hearings, civil commitment proceedings), including, but not limited to:

- a. Advocacy on behalf of a victim;
- b. Accompanying a victim to offices and court;
- c. Transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding;
- d. Interpreting for a non-witness victim who is deaf or hard of hearing, or with limited English proficiency;
- e. Providing child care and respite care to enable a victim who is a caregiver to attend activities related to the proceeding;

- f. Notification to victims regarding key proceeding dates (e.g., trial dates, case disposition, incarceration, and parole hearings);
- g. Assistance with Victim Impact Statements;
- h. Assistance in recovering property that was retained as evidence; and
- i. Assistance with restitution advocacy on behalf of crime victims.

Agencies must be cognizant of the prohibition regarding supplanting of local and state funds in reference to their victim services program;

6. *Legal assistance* — Legal assistance services (including, but not limited to, those provided on an emergency basis), where reasonable and where the need for such services arises as a direct result of the victimization. Such services include, but are not limited to:

- a. Help victims assert their rights - those (other than criminal defense) that help victims assert their rights as victims in a criminal proceeding directly related to the victimization, or otherwise protect their safety, privacy, or other interests as victims in such a proceeding;
- b. Motions to vacate or expunge a conviction - or similar actions, where the jurisdiction permits such a legal action based on a person's status as a crime victim; and
- c. Civil legal services - those actions (other than tort actions) that, in the civil context, are reasonably necessary as a direct result of the victimization.

The following are examples (which are merely illustrative, and not meant to be a comprehensive listing) of some circumstances where civil legal services may be appropriate: proceedings for protective/restraining orders or campus administrative protection/stay-away orders; family, custody, contract, housing, and dependency matters, particularly for victims of intimate partner violence, child abuse, sexual assault, elder abuse, and human trafficking; immigration assistance for victims of human trafficking, sexual assault, and domestic violence; intervention with creditors, law enforcement (e.g., to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud; intervention with administrative agencies, schools/colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person's victimization;

7. *Forensic medical evidence collection examinations* — Forensic medical evidence collection examinations for victims to the extent that other funding sources (such as State appropriations, compensation, private insurance or public benefits) are insufficient. ARS 13-1414 states "Any medical or forensic interview expenses arising out of the need to secure evidence that a person has been the victim of a dangerous crime against children as defined in section 13-705 or a sexual assault shall be paid by the county in which the offense occurred." Based on this mandate, DPS may permit the use of VOCA funds to support enhancements that are associated with the exams of the crime types identified in ARS 13-1414 when it can be demonstrated that these costs are essential to

conducting these activities and why these costs are not paid by the county. Furthermore, DPS may permit the use of VOCA funds to support exams for crime types other than those identified in ARS 13-1414.

Forensic medical evidence collection examiners are encouraged to follow relevant guidelines or protocols issued by the State or local jurisdiction. Subrecipients are encouraged to provide appropriate crisis counseling and/or other types of victim services that are offered to the victim in conjunction with the examination. Subrecipients are also encouraged to use specially trained examiners such as Sexual Assault Nurse Examiners.

Agencies must be cognizant of the prohibition regarding supplanting of local and state funds in reference to their victim services program;

8. *Forensic interviews* - As mentioned in section 7 above, ARS 13-1414 states “Any medical or forensic interview expenses arising out of the need to secure evidence that a person has been the victim of a dangerous crime against children as defined in section 13-705 or a sexual assault shall be paid by the county in which the offense occurred.” Based on this mandate, DPS may permit the use of VOCA funds to support enhancements that are associated with the interview of the crime types identified in ARS 13-1414 when it can be demonstrated that these costs are essential to conducting these activities and why these costs are not paid by the county. Furthermore, DPS may permit the use of VOCA funds to support interviews for crime types other than those identified in ARS 13-1414.

Forensic interviews may be supported, with the following parameters:

- a. Results of the interview will be used not only for law enforcement and prosecution purposes, but also for identification of needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services;
- b. Interviews are conducted in the context of a multi-disciplinary investigation and diagnostic team, or in a specialized setting such as a child or family advocacy center; and
- c. The interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.

Agencies must be cognizant of the prohibition regarding supplanting of local and state funds in reference to their victim services program;

9. *Transportation* — Transportation of victims to receive services and to participate in criminal justice proceedings;

10. *Public awareness* — Public awareness and education presentations (including, but not limited to, the development of presentation materials, brochures, newspaper notices, and public service announcements) in schools, community centers, and other public forums that are designed to inform crime victims of specific rights and services and provide them with (or refer them to) services and assistance;

11. *Transitional housing* —transitional housing for victims (generally, those who have a particular need for such housing, and who cannot safely return to their previous housing, due to the circumstances of their victimization), including, but not limited to, travel, rental assistance, security deposits, utilities, and other costs incidental to the relocation to such housing, as well as voluntary support services such as childcare and counseling. VOCA funds may be used for transitional housing to the extent that such is necessary as a consequence of the victimization and for the well-being of the victim and that will lead to self-sufficiency and sustainability in a safe environment.

Transitional housing, transition-in-place and rapid re-housing are intervention strategies that differ in length of time needed to re-establish a safe and independent household. Transitional housing is longer term than shelter, usually ranging from six months to two years, but is not permanent housing. Rapid Re-housing programs emphasize getting individuals and families into independent housing in the community as quickly as possible, with wrap-around support services accompanying the housing.

The goal of transitional housing is to help residents achieve self-sufficiency; therefore, the structure of eligible transitional housing programs must contain components that actively supports and furthers a victim's ability to attain independent living in a self-sufficient unit (apartment style, not dormitory style) that offers a higher level of privacy.

Supportive and follow-up services must be offered to support victims with housing stability and individual well-being. Victim participation in such services must be voluntary and not required, and access to programs must not be contingent on sobriety, minimum income requirements, lack of a criminal record, completion of treatment, or other unnecessary conditions. Organizations that rely on other community organizations to aid in the provision of supportive and follow-up services must have well developed partnerships or formal agreements.

Applicants that receive funding for transitional housing are required to submit the policies, procedures, and rules governing the provision of the transitional housing and related support services for review and approval (post award). Subrecipients will be required to revise anything that DPS determines may compromise victim safety, is unallowable, or does not conform to best practices for providing transitional housing to victims. Additionally, unused VOCA funds allocated for transitional housing purposes cannot be reprogrammed to other line items;

12. *Relocation* - relocation of victims (generally, to a place of safety when there is a likelihood of continued victimization and other resources are unavailable or inadequate), including, but not limited to, reasonable moving expenses, security deposits on housing, rental expenses, and utility startup costs. Mortgage expenses are not allowable. This is typically one-time assistance, not on-going.

Applicants that receive funding for relocation assistance are required to submit the policies, procedures, and rules governing the provision of the relocation assistance for review and approval (post award). Subrecipients will be required to revise anything that DPS determines to be unallowable or does not conform to appropriate internal controls. Additionally, unused VOCA funds allocated for relocation purposes cannot be reprogrammed to other line items.

## **B. Allowable Costs for Activities Supporting Direct Services**

Supporting activities for which VOCA funds may be used include, but are not limited to, the following:

1. *Coordination of activities* — Coordination activities help to leverage community resources to provide better and more cost-effective direct services. Coordination activities that facilitate the provision of direct services, include, but are not limited to, Statewide coordination of victim notification systems, crisis response teams, multi-disciplinary teams, coalitions to support and assist victims, and other such programs, and salaries and expenses of such coordinators;
2. *Supervision of direct service providers* — Payment of salaries and expenses of supervisory staff in a project, when DPS determines that such staff are necessary and effectively facilitate the provision of direct services;
3. *Multi-system, interagency, multi-disciplinary response to crime victim needs* — Activities that support a coordinated and comprehensive response to crime victims' needs by direct service providers, including, but not limited to, payment of salaries and expenses of direct service staff serving on child and adult abuse multi-disciplinary investigation and treatment teams, coordination with federal agencies to provide services to victims of federal crimes and/or participation on Statewide or other task forces, work groups, and committees to develop protocols, interagency, and other working agreements;
4. *Contracts for professional services* — contracting for specialized professional services (e.g., psychological/psychiatric consultation, legal services, and interpreters) that are not available within the organization, at a rate that is reasonable and consistent with that paid for similar services in the marketplace and that does not exceed the threshold consultant rate as set in the Grants Financial Guide. Subrecipients must maintain signed agreements for consultant/contractual services;
5. *Automated systems and technology* — Subject to the provisions of the DOJ Grants Financial Guide and government-wide grant rules relating to acquisition, use and disposition of property purchased with federal funds, procuring automated systems and technology that support delivery of direct services to victims (e.g., automated information and referral systems, e-mail systems that allow communications among victim service providers, automated case-tracking and management systems, smartphones, computer equipment, and victim notification systems), including, but not limited to, procurement of personnel, hardware, and other items. In making such expenditures, VOCA subrecipients must describe the following to DPS:
  - a. How such procurement will enhance direct services;
  - b. How any acquisition will be integrated into and/or enhance the program's current system;
  - c. The cost of installation;
  - d. The cost of training staff to use the automated systems and technology;

- e. The ongoing operational costs such as maintenance agreements and supplies; and
- f. How additional costs relating to any acquisition will be supported.

Following the purchase of advanced technologies with VOCA funds, subrecipients must provide the following information to DPS: (1) a description of the property and a serial number or other identifying number; (2) the acquisition date; (3) the cost and the percentage of VOCA funds supporting the purchase; and (4) the location, use, and condition of the property. If, in the future, the purchasing agency is no longer a recipient of VOCA funds, any disposition of the equipment must be in accordance with the DOJ Grants Financial Guide (effective edition) and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;

6. *Volunteer trainings* - Activities in support of training volunteers on how to provide direct services when such services will be provided primarily by volunteers; and

7. *Restorative justice* — Activities in support of opportunities for crime victims to meet with perpetrators, including, but not limited to, tribal community led meetings and peace-keeping activities, if such meetings are requested or voluntarily agreed to by the victim (who may, at any point, withdraw) and have reasonably anticipated beneficial or therapeutic value to crime victims. Review of the criteria for conducting these meetings and discussion of the proposed application with federal officials will be undertaken prior to awarding VOCA funds for this type of activity. At a minimum, the following should be considered:

- a. The safety and security of the victim;
- b. The cost versus the benefit or therapeutic value to the victim;
- c. The procedures for ensuring that participation of the victim and offenders are voluntary and that the nature of the meeting is clear;
- d. The provision of appropriate support and accompaniment for the victim;
- e. Appropriate debriefing opportunities for the victim after the meeting; and
- f. The credentials of the facilitators.

VOCA assistance funds cannot be used for victim-offender meetings which serve to replace criminal justice proceedings.

### **C. Allowable Subrecipient Administrative Costs**

Administrative costs for which VOCA funds may be used by subrecipients include, but are not limited to, the following:

1. *Personnel costs* — Personnel costs that are directly related to providing direct services and supporting activities, such as staff and coordinator salaries expenses (including fringe benefits), a prorated share of liability and professional malpractice insurance; the cost of advertising to recruit

VOCA-funded personnel; and the cost of training for paid and volunteer direct service staff. VOCA considers one full-time equivalent (FTE) employee to be an employee who works 2080 hours per year (excluding overtime).

The following costs associated with compensation are VOCA eligible: bi-lingual pay, longevity pay, shift differential, and overtime. Paid on-call time is **not** VOCA eligible.

a. Overtime: VOCA-funded employees (non-exempt) should be compensated with overtime payments for work performed in excess of the established work week (usually 40 hours). Payment of more than occasional overtime is subject to periodic review by DPS. Overtime compensation and relevant policies will be reviewed during site visits. If the VOCA-funded employee is not 100% funded by the grant, overtime payments should be prorated among all funding sources and not charged exclusively to the VOCA grant.

b. Exempt employees: Subrecipient organizations may choose to classify certain positions as exempt; however, for the purposes of the VOCA grant, a timesheet must be completed to document VOCA eligible time worked regardless of an employee's exempt status. Only grant-related time can be charged to the VOCA grant.

Example: Employee A is an exempt employee and is paid 80 hours bi-weekly regardless of the number of hours worked and Employee A performs 100% VOCA eligible activities. Employee A must maintain a detailed timesheet which reflects actual time worked for the two-week period. If Employee A's timesheet reflects 80 hours worked on VOCA eligible activities, then all 80 hours can be charged to the VOCA grant. However, if Employee A's timesheet reflects fewer than 80 hours worked, then only the actual number of hours worked on VOCA eligible activities can be charged to the VOCA grant and the agency must use an alternate fund source for the remainder of Employee A's salary.

c. Prorating Fringe Benefits: For VOCA-funded positions, the VOCA proportionate share of fringe benefits cannot exceed the VOCA proportionate share of salary. However, fringe benefits utilized as match may be prorated up to the combined proportionate share of the salary funded by VOCA *and* used as match.

For comprehensive guidance regarding personnel costs, including salary, fringe benefits, leave time, etc. and the required supporting documentation, subrecipients should thoroughly review the following sections of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards:

- Section 200.430: Compensation – personal services and
- Section 200.431: Compensation – fringe benefits;

2. *Skills training for staff* — Training exclusively for developing the skills of direct service providers, including paid staff and volunteers (both VOCA funded and not), so that they are better able to offer quality direct services, including, but not limited to, manuals, books, videoconferencing, electronic training resources, and other materials and resources relating to such training;

3. *Training-related travel* — Training-related costs such as travel (in-State, regional, and national), meals, lodging, and registration fees for paid direct-service staff (both VOCA-funded and not). Rental car costs may be allowable with prior approval from DPS. Travel costs included in VOCA agreements may not exceed current federal rates or board-approved agency travel rates. Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances and in accordance with the subrecipient’s written travel reimbursement policies. If a subrecipient does not have written travel reimbursement policies, then travel costs cannot exceed the federal travel rates. Supporting documentation of travel expenses charged to this agreement must be maintained.

For comprehensive guidance regarding travel costs, subrecipients should thoroughly review the following section of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards:

- Section 200.474: Travel Costs

Travel costs associated with attendance at in-state skills building conferences offered by various Arizona coalitions, the Attorney General’s Office, and other established organizations are allowable for direct service staff. When needed training is unavailable within the immediate geographical area, DPS may authorize, on an individual basis, the use of VOCA funds to support training outside of Arizona. For example, VOCA subrecipients may benefit from attending national conferences that offer skills building training workshops for victim assistance providers. Although training may be a VOCA allowable cost, the specific training/conference agenda must be submitted to DPS for review and approval via the Subrecipient Training Request Form (available under My Training Materials in SAGE). Agencies should not incur expenses until the training is approved by DPS;

4. *Organizational Expenses* — Organizational expenses that are necessary and essential to providing direct services and other allowable victim services, including, but not limited to, the prorated costs of rent (mortgage costs are not allowed); utilities; local travel expenses for service providers; and required minor building adaptations necessary to meet the Department of Justice standards implementing the Americans with Disabilities Act and/or modifications that would improve the program’s ability to provide services to victims. When determining rent eligibility, agencies can include the space utilized to provide direct services to victims, e.g. advocate offices, playrooms, rooms utilized for meeting with crime victims, etc.;

5. *Equipment and furniture* — Expenses of procuring furniture and equipment that facilitate the delivery of direct services (e.g., mobile communication devices, telephones, braille and TTY/TDD equipment, computers and printers, beepers, video cameras and recorders for documenting and reviewing interviews with children, two-way mirrors, colposcopes, digital cameras, and equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas), except that the VOCA grant may be charged only the prorated share of an item that is not used exclusively for victim-related activities. In addition, VOCA funds may not be used to purchase equipment for another organization or individual to perform a victim-related service.

Capital Equipment is any item in excess of \$5,000. Subrecipients are required to maintain capital equipment records and report periodically with the following: (1) a description of the property and a serial or other identifying number; (2) identification of title holder; (3) the acquisition date; (4) the cost and the percentage of VOCA funds supporting the purchase; (5) the location, use, and condition of the property; and (6) any disposition data, including the date of disposal and sale price;

6. *Operating costs* — Operating costs include but are not limited to:

- a. Supplies;
- b. Equipment use fees (when supported by usage logs);
- c. Property insurance;
- d. Printing, photocopying, and postage;
- e. Courier service;
- f. Brochures that describe available services;
- g. Books and other victim-related materials;
- h. Computer backup files/tapes and storage;
- i. Security systems;
- j. Design and maintenance of websites and social media; and
- k. Essential communication services, such as web hosts and mobile device services.

Subgrantees are expected to have policies and procedures in place regarding the use of cell phones and/or other wireless devices (tablets). Prior to incurring expenses related to cell phone stipends, the cost of an employee's wireless plan must be verified by reviewing the employee's invoice for wireless services. The amount of the stipend cannot exceed the cost of the employee's wireless plan. Documentation of the verification must be maintained and available for review during a DPS-VOCA site visit.

l. Membership costs for state and/or national professional organizations (subrecipients should identify organizations which offer member benefits such as substantial discounts for training registrations and increased access to resources, books and victim-related materials).

7. *VOCA administrative time* — Costs of administrative time spent performing the following:

- a. VOCA-required documentation - completing VOCA-required time and attendance sheets and programmatic documentation, reports, and statistics;

- b. Crime victims' records - Collecting and maintaining crime victims' records;
- c. Victim satisfaction surveys and needs assessments - conducting victim satisfaction surveys and needs assessments to improve victim services delivery in the project; and
- d. Audit costs - funding the prorated share of audit costs as they pertain to Section VI (I) Audit Responsibilities for Subrecipients. VOCA funds cannot be used to support the audit of financial statements, nor can VOCA funds support accounting or payroll processing service costs.

8. *Leasing or purchasing vehicles* — VOCA funds may be used to purchase or lease vehicles if it can be demonstrated that such expenditure is essential to delivering services to crime victims. VOCA funds may also be used to support related items, such as routine maintenance, repair costs, and automobile insurance;

9. *Maintenance, repair, or replacement of essential items* — Costs of maintenance, repair, and replacement of items that contribute to maintenance of a healthy or safe environment for crime victims (such as a furnace in a shelter; and routine maintenance and repair costs), as determined by DPS after considering, at a minimum, if other sources of funding are available. Additionally, unused VOCA funds allocated for “repair and/or replacement” purposes cannot be reprogrammed to other line items;

10. *Project evaluation* — reasonable costs associated with conducting an evaluation of a specific VOCA funded project (in order to determine its effectiveness);

11. *Indirect organization costs* - Indirect Costs: The VOCA grant may be charged indirect costs based either on a federally approved negotiated rate or a de minimis rate of 10% of modified total direct costs (MTDC). If a VOCA subrecipient has **never** had a federally approved negotiated rate, that agency may elect to use the 10% de minimis rate. Agencies that currently have or have had in the past a federally approved negotiated rate **cannot** use the 10% de minimis rate and must use the current negotiated rate or contact the cognizant federal agency to request an extension of the expired negotiated rate.

Additionally, unused VOCA funds allocated for indirect cost purposes cannot be reprogrammed to other line items.

Subrecipients charging indirect costs to the VOCA grant must ensure compliance with the following sections of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards:

- 200.412: Classification of costs
- 200.413: Direct costs
- 200.414: Indirect (F & A) costs
- 200.415: Required Certifications
- 200.416: Cost allocation plans and indirect cost proposals

- 200.417: Interagency service; and

12. *Security guards and liability insurance on buildings* may be allowable under the government-wide grant rules in 2 CFR part 200, if appropriately allocated to an award either directly or indirectly.

#### **D. Expressly Unallowable Subrecipient Costs**

Notwithstanding any other provision of this subpart, no VOCA funds may be used to fund or support the following:

1. *Lobbying* — Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy (*cf.* 18 U.S.C. 1913), whether conducted directly or indirectly;
2. *Research and studies* — Research and studies, except for project evaluation under paragraph (C)(10) of this section;
3. *Active investigation and prosecution of criminal activities* — The active investigation and prosecution of criminal activity, except for the provision of victim assistance services (e.g., emotional support, advocacy, and legal services) to crime victims, under Section V, A. Allowable Direct Service Costs, during such investigation and prosecution;
4. *Fundraising* — Any activities related to fundraising;
5. *Capital expenses* — Capital improvements; property losses and expenses; real estate purchases; mortgage payments; and construction (except as specifically allowed elsewhere in this subpart);
6. *Compensation for victims of crime* — Reimbursement of crime victims for expenses incurred as a result of a crime, except as otherwise allowed by other provisions of this subpart;
7. *Medical care* — Medical care, except as otherwise allowed by other provisions of this subpart;
8. *Salaries and expenses of management* — Salaries, benefits, fees, furniture, equipment, and other expenses of executive directors, board members, and other administrators (except as specifically allowed elsewhere in this subpart); and
9. *Victim attendance at conferences.*

## VI. SUBRECIPIENT RESPONSIBILITIES

### A. Compliance with Other Rules and Requirements

Subrecipients shall comply with all applicable provisions of VOCA, any guidance issued by OVC, DOJ Grants Financial Guide (effective edition), and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (government wide grant rules in 2 CFR part 200, as implemented by the Department of Justice at 2 CFR part 2800) which include maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of VOCA funds received. This includes financial documentation of disbursements, daily time and attendance records specifying time devoted to allowable VOCA victim services, client files, the portion of the project supplied by other sources of revenue, job descriptions, contracts for consultant services, and other records which facilitate an effective audit.

### B. Financial and Program Reporting

Subrecipients must adhere to all reporting requirements and timelines for submitting the required reports, as indicated below. Failure to do so may result in a hold being placed on the reimbursement of all current year funds, a hold being placed on processing the next year's grant award, or can result in the suspension or termination of a grant or denial of a grant application.

All required reports as outlined below are to be completed through the System for Administering Grants Effectively (SAGE) at <https://sage.azdps.gov> and the Federal Office for Victims of Crime Performance Measurement Tool (OVC PMT) at <https://ojpsso.ojp.gov/>.

Subrecipients are required to submit the following reports by the dates noted below. Failure to submit required reports by the deadline will result in the withholding of funds until the delinquency is cleared. If an agency has more than one project funded by DPS, a reporting or performance delinquency from one project will result in the withholding of payment for all current projects.

1. Subgrant Award Report is due no later than October 30<sup>th</sup> of Year 2 and Year 3 of the grant cycle.
2. Monthly Financial Reports are due no later than the 15<sup>th</sup> of each month following the end of the monthly report period via SAGE. This report must reflect actual federal and match expenditures.
3. Quarterly Statistical and Programmatic Reports are due no later than 30 days following the end of each quarter. The SAGE Program Report includes quarterly victim service and performance measure activities. Additionally, subrecipients are required to complete the Victim Assistance Subgrantee Data Report via OVC PMT.
4. Final Request to Reprogram Funds (if necessary) must be submitted via an Agreement Amendment Request in SAGE no later than June 30<sup>th</sup> of each fiscal year within the grant cycle. Requests submitted after this deadline will not be considered unless they are for emergency client assistance needs.

5. Year-end Agreement Amendment Request must be submitted via SAGE when a subrecipient has remaining funds in their budget in order to reflect actual expenditures. This process will automatically revert unexpended funds to DPS. Final year-end amendments will be required for the purpose of reconciling the SAGE budget to actual expenditures reported via the Monthly Financial Reports. Year-end amendments are due in conjunction with the final Monthly Financial Report which is due no later than October 15<sup>th</sup>.

6. Annual Report is due no later than October 30<sup>th</sup> of each fiscal year within the grant cycle. The Annual Report is available in SAGE and includes the DPS-VOCA Annual Crime Victim Assistance Survey and the Annual Narrative.

Failure to submit complete, accurate and timely required reports may result in a reduction of the current award. Any three combined occurrences of monthly or quarterly reports submitted over 15 days late and/or three combined occurrences relating to the submission of incomplete or inaccurate monthly or quarterly reports may result in up to a 10% award reduction as determined by DPS.

### **C. Amendments**

To modify a current agreement, the subrecipient is required to use an Agreement Amendment Request form to notify DPS and request changes. This request must be completed via SAGE and is required for all modifications impacting the budget, programmatic activities of the project, and project contacts. Amendments to reprogram funds may be submitted from October 1 to June 30<sup>th</sup> of each fiscal year within the grant cycle.

If necessary, a final request to reprogram funds must be submitted via an Agreement Amendment Request in SAGE no later than June 30<sup>th</sup> of each fiscal year within the grant cycle. Requests submitted after this deadline will not be considered unless they are for emergency client assistance needs.

A year-end amendment will be required for the purpose of reconciling the SAGE budget to actual expenditures reported via the Monthly Financial Reports.

### **D. Beginning the Project**

If a project is not operational within 60 days of the original start date of the project period, the subrecipient must submit written documentation to DPS explaining steps taken to initiate the project, the reasons for the delay, and the expected start date. If a project is not operational within 90 days of the original start date of the project period, the subrecipient must submit a second written statement explaining the implementation delay. DPS reserves the right to cancel the agreement if the proposed project is not operational within 90 days of the original start date.

### **E. Funding Acknowledgement**

Printed materials supported by VOCA funding must include an acknowledgment of the federal funding source (the grant number can be found on your Subgrant Award Agreement).

The following acknowledgment must be utilized:

This project is supported by Grant No. 20xx-xx-xx-xxxx from the US Department of Justice - Office for Victims of Crime.

The following acknowledgment must be utilized for any materials publicizing award activities, press releases, or materials that include opinions, findings, conclusions or recommendations:

This project is supported by Grant No. 20xx-xx-xx-xxxx from the US Department of Justice - Office for Victims of Crime. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the US DOJ or the Arizona Department of Public Safety.

#### **F. Notice of Crime Victim Service Availability**

All non-profit subrecipients will provide formal notice of available project services to all law enforcement agencies and prosecuting attorneys within the service area of the funded project within 60 days of the project start date. A copy of this notice and distribution list must be maintained and available upon request by DPS. The notice shall include:

1. A brief project description containing the target clientele (victim groups), available services, hours of service, and area of services.
2. A telephone number to access services.
3. The name of the project director.
4. Acknowledgement that the project is funded through the DPS-VOCA program.

#### **G. Civil Rights, Prohibited Discrimination, Disclosure of Findings**

1. The VOCA non-discrimination provisions specified at 34 U.S.C. 20110(e) shall be implemented in accordance with 28 CFR part 42.

Federal laws prohibit subrecipients of federal financial assistance from discriminating on the basis of race, color, national origin, religion, disability or sex in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits federally funded programs or activities from discriminating on the basis of age in the delivery of services or benefits. Subrecipients must also take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). (For information on the civil rights responsibilities related to providing language services to LEP individuals, refer to <http://www.lep.gov>.)

Certain VOCA subrecipients are required to provide an Equal Employment Opportunity (EEO) Certification and, possibly, an EEO Utilization Report to the US Department of Justice with a copy to DPS. (Refer to <https://ojp.gov/about/ocr/eeop.htm> to determine EEO requirements.)

If in the three years prior to the date of the grant award, a federal or state court or administrative agency makes an adverse finding of discrimination after a due process hearing against the subrecipient agency on the grounds of race, color, national origin, religion, sex, or disability, the subrecipient shall forward a copy of the finding to the Department of Justice, Office of Justice Programs, Office for Civil Rights and DPS.

**Civil Rights and Non-discrimination Training:** Subrecipients will designate a Civil Rights Contact Person within their agency. This person must complete the online civil rights training program developed by the Office for Civil Rights (OCR), Office of Justice Programs (OJP), Department of Justice (DOJ). The training must be completed within 90 days from the start of the subgrant award agreement. If the Civil Rights Contact Person changes during the grant cycle, the new Civil Rights Contact Person has 90 days to complete this training requirement. This training is required once per grant cycle and can be accessed via the Subrecipient Required Trainings under My Training Materials in SAGE. DPS recommends that all employees complete the online civil rights training module, thereby enhancing each staff member's understanding of civil rights and non-discrimination regulations.

**Maintain Civil Rights Information:** Subrecipient agencies must maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability; and permit reasonable access to its books, documents, papers, and records to determine whether the subrecipient is complying with applicable civil rights laws. This requirement is waived when providing a service, such as telephone counseling, where soliciting the information may be inappropriate or offensive to the crime victim.

2. In complying with VOCA, at 34 U.S.C. 20110(e), as implemented by 28 CFR part 42, subrecipients shall comply with such guidance as may be issued from time to time by the Office for Civil Rights within the Office of Justice Programs.

## **H. Reporting Suspected Fraud, Waste and Abuse**

In the event of a formal allegation or a finding of fraud, waste, abuse, or similar misconduct involving VOCA funds, subrecipients are required to immediately notify DPS of said allegation or finding. Subrecipients are also obligated to apprise DPS of the status of any on-going investigations.

## **I. Audit Responsibilities for Subrecipients**

As a condition of receiving an agreement, subrecipients shall adhere to the financial and administrative provisions set forth in the VOCA Guidelines, DOJ Grants Financial Guide, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Non-Federal entities that expended \$750,000 or more in Federal funds (from all sources including pass-through subawards) in the organization's fiscal year (12-month turnaround reporting period), are required to arrange for a single organization-wide audit conducted in accordance with the provisions of Title 2 CFR Subpart F (§ 200.500 et seq.).

Non-Federal entities that expended less than \$750,000 in Federal awards are exempt from Federal audit requirements for that year. However, records must be kept that are available for review or audit by appropriate officials including the Federal agency, pass-through entity, and U.S. Government Accountability Office (GAO).

All auditees shall submit a Reporting Package and Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profit Organizations electronically to the Federal Audit Clearinghouse (<https://harvester.census.gov/facweb/>).

## **J. State and Federal Financial and Programmatic Monitoring**

The state and federal financial and programmatic officials conduct periodic reviews of the financial policies, procedures, and records of VOCA subrecipients. State and federal personnel will review various agreement documents and files such as: (1) reports; (2) policies and procedures governing the organization and the VOCA funds; (3) programmatic records of victims' services; (4) volunteer logs and time and attendance records; and (5) supporting documentation for costs supported by VOCA funds. Subrecipients will be subject to site inspections by state officials.

The subrecipient shall retain all financial records, supporting documentation, statistical records and all other records pertinent to this award until March 31 of the seventh year following the year indicated in the Federal Grant Number of the Subgrant Award Agreement.

With a 24-hour notice, the subrecipient shall, upon request, and consistent with 2 CFR 200.336, allow DPS, the Department of Justice's Office for Victims of Crime and/or the Office of the Chief Financial Officer (or their representatives) to review all of the subrecipient's records concerning this grant project.

## **K. Suspension and Termination of Funding**

An agreement is in full force and effect for the period specified in the subgrant award agreement but is subject to cancellation/termination as identified in the General Conditions.

Failure of the subrecipient to utilize VOCA funds for direct services to crime victims or for training purposes as stated in the approved budget will be subject to immediate cancellation. The subrecipient will not utilize VOCA funds for projects which serve perpetrators of crime or crime prevention, and/or for any other non-allowable cost or activity in accordance with DPS-VOCA guidelines. The subrecipient shall reimburse DPS for any VOCA funds expended that are not in full compliance with the subgrant award agreement.

### **IMPORTANT NOTE:**

When completing the online application, always refer to the online instruction screens for all rules regarding variable rates and values referred to in these guidelines, (e.g. mileage rates, deadlines, contact information). The online instruction screens are maintained by DPS and are current for this funding year.