

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

**GUIDELINES**



**Crime Victim Assistance Grant  
Arizona Department of Public Safety  
Crime Victim Service Unit, Mail Drop 1320  
PO Box 6638  
Phoenix, Arizona 85005-6638**

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

## Table of Contents

I. Background.....	1
a. Definitions: .....	1
b. Primary Purpose:.....	3
c. Eligible services are further defined: .....	3
II. Allocation of VOCA Victim Assistance Funds.....	5
III. VOCA Victim Assistance Application Process.....	5
a. Subrecipient Application Process: .....	5
b. Protest of Funding Decisions:.....	6
c. Applicant Organization Eligibility Requirements: .....	7
d. Eligible Subrecipient Organizations: .....	11
e. Ineligible Recipients of VOCA Funds:.....	12
f. Services, Activities, and Costs at the Subrecipient Level.....	13
g. Other Allowable Costs and Services: .....	15
h. Non-Allowable Costs and Activities: .....	19
IV. Subrecipient Responsibilities.....	20
a. Financial and Program Reporting: .....	20
b. Amendments: .....	21
c. Beginning the Project:.....	22
d. Funding Acknowledgement:.....	22
e. Notice of Crime Victim Service Availability: .....	22
f. Legal Finding Regarding Suits Against Funded Agencies:.....	22
g. Reporting Suspected Fraud, Waste and Abuse:.....	23
h. Audit Responsibilities for Subrecipients: .....	23
V. State and Federal Financial and Programmatic Monitoring.....	24
VI. Suspension and Termination of Funding.....	25

**ARIZONA DEPARTMENT OF PUBLIC SAFETY**

**CRIME VICTIM SERVICES UNIT**

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

The Department of Public Safety (DPS), Crime Victim Services (CVS) unit, is issuing VOCA Guidelines to implement the VOCA victim assistance grant program as authorized by the Victims of Crime Act of 1984, Section 1404 of VOCA, Public Law 98-473, as amended, codified at 42 U.S.C. 10601 and 10603 (hereinafter referred to as VOCA). The VOCA Guidelines provide information on the administration and implementation of the VOCA assistance grant program for the state of Arizona pursuant to 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/CVS.

DPS/CVS 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, Crime Victim Services Unit, Mail Drop 1320, PO Box 6638, Phoenix, Arizona 85005.

**EFFECTIVE DATE:** These guidelines are in effect for grants beginning July 1, 2007 until further revised by DPS. These guidelines should be adhered to when completing an application for funding for the FY 07/08 Request for Grant Application process.

Effective immediately, the DPS-VOCA Guidelines replace the DPS-VOCA Resource Manual, revised July 2001.

**GUIDELINES FOR CRIME VICTIM ASSISTANCE GRANTS**

**I. 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.

**a. Definitions:**

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

- i. ***Crime Victim*** is anyone of any age who has suffered financial, physical, sexual or emotional harm as a result of the commission of a crime. Each person and each situation has varying circumstances with different personal reactions, problems, and needs. A victim is defined as the person against whom the crime was committed, except in the case of homicide and DUI/DWI deaths where the “victims” are survivors. In domestic violence situations, children of spouse/partner abuse victims are considered victims. The immediate family members of a rape victim who receive counseling, non-offending parents of child abuse victims and surviving family members of homicide and DUI/DWI victims are considered victims for purposes of the crime victim assistance grant program.
- ii. ***Child*** is any person under the age of 18 or as otherwise defined by State law.
- iii. ***Elder Abuse*** is defined as abuse of vulnerable adults including the mistreatment of older persons through physical, sexual, psychological or physical violence; neglect; or economic exploitation and fraud.
- iv. ***Federal Crime Victim*** is defined as a victim of an offense that violates a federal criminal statute or regulation. Federal crimes also include crimes that occur in an area where the federal government has jurisdiction, such as Indian reservations, some national parks, some federal buildings, and military installations.
- v. ***Native American Tribe/Organization*** is defined as any tribe, band, nation, or other organized group or community, which is recognized as eligible for the special programs and services provided by the US to Native Americans because of their status as Native Americans. A reservation is defined as a tract of land set aside for use of, and occupancy by, Native Americans.
- vi. ***Hate Crime Victim*** is defined as a victim of an act of intimidation, harassment, physical force, or threat of physical force directed against any person, or family, or their property, or advocate, motivated either in whole or in part by hostility because of race, color, ethnic background, national origin, religion, sex, age, disability, or sexual orientation, real or perceived, with the intention of causing fear or intimidation, or of deterring the free exercise or enjoyment of any rights or privileges secured by the Constitution or laws of the United States or the state of Arizona.
- vii. ***Economic Exploitation and Fraud Victim*** is defined as an individual victimized by the perpetrators of bogus vacation opportunities, fly-by-night home repair companies, advance fee schemes, mail fraud, computer fraud, health care fraud, insurance fraud, pension and trust fund fraud,

credit card fraud, check fraud, charity fraud, home repair schemes, identity theft, land schemes, embezzlement, securities and investment fraud (including commodities fraud), telemarketing fraud, and reverse mortgage fraud. Fraud crimes can be prosecuted at either the state or federal level, depending on a number of factors: type of fraud scheme and amount of money stolen, laws violated (federal, state or both), method of operation, use of public services (such as the US Postal Service, telecommunications systems, and Medicare) that fall under federal or state regulation and authority, location of the crime (within state or across state or national borders).

Although VOCA-funded programs cannot restore the financial losses suffered by victims of fraud, victims are eligible for counseling, criminal justice advocacy, and other support services offered by VOCA-funded victim assistance programs.

**b. Primary Purpose:**

The primary purpose of these grants is to support agency staff who provide direct services to victims of crime in Arizona. Priority will be given to projects serving victims of sexual assault, domestic violence, child physical and sexual abuse, and previously underserved victims of violent crime such as drunk driving crashes, elder abuse, adults molested as children, survivors of homicide victims, robbery or bank robbery, assault, stalking, kidnapping, identity theft, hate crimes and victims of exploitation and fraud. For the purpose of the VOCA guidelines, services are defined as those efforts that **(1) respond to the emotional and physical needs [healing] of crime victims; (2) assist primary and secondary victims of crime to stabilize [restitution/economic restabilization] their lives after a victimization; (3) assist victims to understand and participate in the criminal [justice] system; and (4) provide victims of crime with a measure of [safety] and security** such as boarding up broken windows and replacing or repairing locks.

**c. Eligible services are further defined:**

- i. *Crisis Counseling*** is defined as in-person crisis intervention, emotional support, and guidance and counseling on an individual basis provided by advocates, counselors, mental health professionals or peers. Such counseling may occur: a) at the scene of a crime; b) immediately after a crime; c) at the first, in-person contact between a counselor and victim (this would include meeting the victim in an emergency room, at a police station, or at a prosecuting attorney's office, etc.); d) during in-person contact for the duration of the crisis experience; or e) in the case of survivors of homicide victims or DUI/DWI, counseling may occur months after the victimization.

- ii. ***Follow-up Contact*** is defined as in-person contacts, telephone contacts and written communication with the victims to offer individual emotional support, provide empathetic listening, check on victim's progress, and offer guidance for other-than-crisis reactions after the victimization.
- iii. ***Therapy*** is defined as intensive professional psychological and/or psychiatric treatment for individuals, couples, and family members, related to counseling, to provide emotional support in crisis arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.
- iv. ***Crisis Counseling via phone/hotline*** is defined as telephone contact to provide crisis counseling after a victimization.
- v. ***Group Treatment/Support*** is defined as the coordination and provision of supportive group activities. This includes self-help, peer, social support, drop-in groups, and community crisis intervention in a group setting.
- vi. ***Shelter/Safe House*** is defined as short-term and long-term housing and related support services provided to victims and non-offending members of their family following a victimization.
- vii. ***Information, Referral, and Connection*** is defined as in-person contacts with the victim, identifying services offered and support available by network and other community agencies, and/or completing linkage (actual personal or telephonic introduction) of a victim to other continuum service providers.
- viii. ***Criminal Justice Support/Advocacy*** is defined as support, assistance and advocacy provided to crime victims at any stage of the criminal justice process. Included in this definition are: court related support, i.e. court orientation, court escort, case status and disposition information, victim impact reports, assistance with restitution, transportation for legal proceedings, child care while participating in legal proceedings, property return, etc.; and post-sentencing services and support following the disposition of a criminal court proceeding.
- ix. ***Emergency Financial Assistance*** is defined as the utilization of VOCA or matching funds for security measures (replacement of locks, and temporary repair of doors and windows to prevent revictimization), and payment for taxis, buses, food, shelter and clothing. The agency must have written policies and maintain detailed records regarding distribution of funds under this provision.
- x. ***Emergency Legal Advocacy*** is defined as assisting victims in filing temporary restraining orders (injunctions and other protective orders), and

elder or child abuse petitions. This does not include criminal prosecution or the use of VOCA funds in the employment of private attorneys for non-emergency legal representation purposes such as custody disputes, civil suits, civil restitution recovery efforts, and divorce actions.

- xi. *Assistance in Filing Compensation Claims*** is defined as making victims aware of the availability of crime victim compensation and assisting the victim in completing the required forms and in gathering the needed documentation. (Provision of this service is a grant eligibility requirement.) It may also include follow-up contact with the victim compensation agency on behalf of the victim.
- xii. *Personal Advocacy*** is defined as assisting victims in securing rights, remedies, and services from other agencies, locating financial support, intervening with employers, creditors and others on behalf of the victim; assistance with filing for losses covered by public and private insurance programs including workman's compensation, unemployment benefits, welfare, Medicare, etc., and accompanying the victim to the hospital.
- xiii. *Telephone Contact (information & referral)*** is defined as contacts with victims during which time services and available support are identified and provided over the telephone. This does not include calls during which counseling is the primary function of the telephone call.
- xiv. *Other*** is defined as other VOCA allowable services and activities not previously listed (for example, outreach to identify crime victims and transportation for services relating to the victimization).

## **II. Allocation of VOCA Victim Assistance Funds**

Availability of Funds: When recommending an award, the following is considered: the range of victim services throughout the state and within communities; the unmet needs of crime victims; the demographic profile of crime victims; the coordinated, cooperative response of community organizations in organizing services of crime victims; the availability of services to crime victims throughout the criminal justice process; and the extent to which other sources of funding are available for services. A goal of award is to enhance and expand services to crime victims in the state of Arizona. Services already provided through state, local and federal sources other than VOCA will not be eligible for funding, for example shelter beds, forensic exams, and victim notification and other mandated services. This is not an all-inclusive list; for questions regarding service eligibility, contact CVS.

## **III. VOCA Victim Assistance Application Process**

### **a. Subrecipient Application Process:**

Each year, CVS issues a funding notice outlining the availability of grant program funding. Applicants will verify eligibility and submit applications through the Web-based Automated Grant System via the internet. Applications must be submitted on or before the stated deadline as determined by CVS. Applications are reviewed and evaluated based upon:

- i. Compliance with the Victims of Crime Act and state program guidelines;
- ii. Completeness and clarity with which it addresses each section of the application;
- iii. Scope of the proposal in terms of the potential number of victims to be provided with appropriate services;
- iv. The overall concept, feasibility and likelihood of success of the proposal through the applicant's program and fiscal structure;
- v. Accountability within the organization leading to quality service delivery;
- vi. A budget which represents responsible grant expenditures and a cost-effective proposal; and
- vii. When applicable, the applicant's past financial and program reporting, and audit compliance.

Applicants will receive notice of award or denial via the internet. If an agreement is issued, the subrecipient must return a signed subgrant award agreement prior to the beginning of the project period.

**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 applicant agency cannot provide additional information that was not included in the original application.

**c. Applicant Organization Eligibility Requirements:**

VOCA establishes eligibility criteria which must be met by all organizations that receive VOCA funds. Funds will only be awarded to applicants to provide services to victims of crime through their staff. To be eligible for funding, each applicant agency shall meet the following requirements:

- i. **Public Agency or Nonprofit Organization:** Applicant agency must be operated by a public agency or nonprofit organization, or a combination of such agencies or organizations, and provide services to crime victims.
- ii. **Record of Effective Services:** Demonstrate a record of providing effective services to crime victims for at least one year. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources. Applicants are encouraged to promote the development of consistent, professional standards for recruitment, training, supervision, and delegation of crime victim service assignments to agency staff, regardless of funding source, and volunteers.

**New Programs:** Those agencies which have not yet demonstrated a record of providing victim services and have been operating less than one year from the submission of the grant application may be eligible to receive VOCA funding, if they can demonstrate that 25-50 percent of their financial support comes from non-federal sources, with the exception of funds appropriated by Congress for the activities of any agency of a tribal government as allowed for in the OJP Financial Guide. It is important that agencies have a variety of funding sources besides federal funding in order to ensure their financial stability. CVS staff will establish the base level of non-federal financial support required within the 25-50 percent range for each applicant.

- iii. **Program Match Requirements:** The purpose of matching contributions is to increase the amount of resources available to the projects supported by grant funds. Matching contributions of 20 percent (cash or in-kind) of the total cost of each VOCA project (VOCA grant plus match) are required for each VOCA-funded project and must be derived from non-federal sources. All funds designated as match are restricted to the same uses as the VOCA victim assistance grant funds and must be expended within the grant period. Match must be provided on a project-by-project basis. Funds from other federal programs may not be used as sources of match for VOCA grants such as: Department of Justice, VOCA, Byrne, COPS, STOP (Violence Against Women Act), FEMA, Health and Human Services (Rape Prevention, Family Violence), VOCA Children's Justice Act, Americorps, and Housing and Urban Development grants.

For the purposes of this program, in-kind match may include donations of expendable equipment, office supplies, workshop or classroom materials, work space, or the monetary value of time contributed by professionals and technical personnel and other skilled and unskilled labor, if the services they provide are an integral and necessary part of a funded project. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the subrecipient's organization. If the required skills are not found in the subrecipient's organization, the rate of compensation must be consistent with the labor market. In either case, fringe benefits may be included in the valuation. The value placed on loaned or donated equipment may not exceed its fair market value. The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in privately-owned buildings in the same locality.

If volunteers are to be used as match, the salary rate should be consistent with those rates paid for similar professional work in the labor market in which the project operates or current minimum wage. The rate for volunteers may not exceed the salary rate of grant paid staff doing the same type of work. On-call time for volunteers may be included as match, at a rate not to exceed \$2.00/hour. Approval of on-call match will be considered by DPS/CVS on a case-by-case basis based on the agency's plan for tracking and reporting this time. The actual time spent by on-call volunteers providing over-the-phone direct services may be claimed at an hourly rate consistent with those rates paid for similar professional work.

Exceptions to the 20 percent Match: VOCA sets a lower match requirement for Native American Tribes/Organizations located on Reservations. The match for new or existing VOCA subrecipients meeting this requirement is 5 percent (cash or in-kind) of the total VOCA project.

Record Keeping: VOCA subrecipients must maintain records that clearly show the source, the amount, and the period during which the match was expended and reported to CVS. The basis for determining the value of personal services, materials, equipment, and space must be documented. Volunteer services must be documented, and to the extent feasible, supported by the same methods used by the subrecipient for its own paid employees.

- iv. Volunteers: Subrecipient organizations must use volunteers unless the state grantee determines there is a compelling reason to waive this requirement. A "compelling reason" may be a statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars using volunteers for certain positions, or the

inability to recruit and maintain volunteers after a sustained and aggressive effort.

- v. **Promote Community Efforts to Aid Crime Victims:** Promote, within the community, coordinated public and private efforts to aid crime victims. Coordination may include, but is not limited to, serving on state, federal, local, or Native American task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts also include developing written interagency agreements that contribute to better and more comprehensive services to crime victims. Coordination efforts qualify an organization to receive VOCA victim assistance funds, but are not activities that can be supported with VOCA funds.
- vi. **Help Victims Apply for Compensation Benefits:** Such assistance must include notifying crime victims of the availability of crime victim compensation, and assisting victims with application forms and procedures, obtaining necessary documentation, and/or checking on claim status.
- vii. **Inform Victims of their Legal Rights:** To notify victims of their legal rights (A.R.S. 13-4401, et seq.) and offer to connect the victim with a representative from the prosecutor's or county attorney's office if the victim so chooses.
- viii. **Comply with Federal Rules Regulating Grants:** Subrecipients must comply with the applicable provisions of the VOCA Guidelines and OJP Financial Guide, effective edition, which include maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of VOCA funds received. This includes: financial documentation for 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.
- ix. **Maintain Civil Rights Information:** 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. Certain subrecipients are required to provide civil rights certification to the US Department of Justice with a copy to DPS/CVS. (Refer to <http://www.ojp.usdoj.gov/ocr/eeop.htm> to determine your agency's EEO requirement.)

- x. Comply with State Criteria: Subrecipients must abide by state eligibility or service criteria as established by CVS including submission of monthly financial reports, quarterly statistical and programmatic reports, client feedback surveys utilized, annual narrative report, annual DPS/ CVS survey, and other programmatic or service information requested by CVS on the use and impact of VOCA funds.
- xi. Services to Victims of Federal Crimes: Subrecipients must provide services to victims of federal crimes on the same basis as victims of state/local crimes.
- xii. 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.
- xiii. Client-Counselor and Research Information Confidentiality: Subrecipients are required to maintain confidentiality of client-counselor information, as required by state and federal law.
- xiv. Confidentiality of Research Information: Except as otherwise provided by federal law, no recipient of monies under VOCA shall use or reveal any research or statistical information furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with VOCA. Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding. See Section 1407(d) of VOCA codified at 42 USC 10604.

These provisions are intended, among other things, to ensure the confidentiality of information provided by crime victims to counselors working for victim service programs receiving VOCA funds. Whatever the scope of application given this provision, it is clear that there is nothing in VOCA or its legislative history to indicate that Congress intended to override or repeal, in effect, a state's existing law governing the disclosure of information which is supportive of VOCA's fundamental goal of helping crime victims. For example, this provision would not act to override or repeal, in effect, a state's existing law pertaining to the

mandatory reporting of suspected child abuse. See *Pennhurst School and Hospital v. Halderman, et al.*, 451 US 1 (1981). Furthermore, this confidentiality provision should not be interpreted to thwart the legitimate informational needs of public agencies. For example, this provision does not prohibit a domestic violence shelter from acknowledging, in response to an inquiry by a law enforcement agency conducting a missing person investigation, that the person is safe in the shelter. Similarly, this provision does not prohibit access to a victim service project by a federal or state agency seeking to determine whether federal and state funds are being utilized in accordance with funding agreements.

d. Eligible Subrecipient Organizations:

VOCA specifies that an organization must provide direct services to crime victims and be operated by a public agency or non-profit organization, or a combination of such agencies or organizations in order to be eligible to receive VOCA funding. Eligible organizations include victim services organizations whose sole mission is to provide direct services to crime victims. These organizations include, but are not limited to, sexual assault and rape treatment centers, domestic violence programs and shelters, child abuse programs and children's advocacy centers, mental health services, and other community-based victim organizations including those who serve survivors of homicide victims. Organizations whose sole purpose is to serve victims of crime will be given funding preference. A public agency whose sole or principal purpose is the investigation, prosecution or adjudication of cases, or general criminal justice services, or which provides health and other services to the public at large, must demonstrate that the proposed project will provide a substantial increase in cost-effective services to crime victims in its community. A private non-profit organization whose sole purpose is to provide advocacy to the legislature for victims of crime or general community awareness of victims issues, will not be eligible for a VOCA victim assistance grant. Occasional counseling or occasional victim assistance would not qualify for eligibility.

In addition to victim services organizations, whose sole purpose is to serve crime victims, there are many other public and non-profit organizations that have components which offer services to crime victims. These organizations are eligible to receive VOCA funds, if the funds are used to expand or enhance the delivery of crime victim services. These organizations include, but are not limited to, the following:

- i. Criminal Justice Agencies: Law enforcement agencies, prosecutors' offices, courts, corrections departments, and probation and paroling authorities are eligible to receive VOCA funds to help pay for victim services. For example, prosecutor-based victim services may include enhancements to victim-witness programs and assistance with victim impact statements, including statements of pecuniary damages for

restitution. Corrections-based victim services may include restitution advocacy, restorative justice programs such as victim-offender mediation and victim impact panels whose primary purpose is to benefit the victim. Police-based victim services may include victim crisis units or victim advocates, and cellular phone and alarm services for domestic abuse victims. In general, VOCA funds may be used to provide crime victim services that exceed a law enforcement official's normal duties. Regular law enforcement duties such as crime scene intervention, questioning of victims and witnesses, investigation of the crime, and follow-up activities may not be paid for with VOCA funds. The state Victims' Rights program supports personnel in the prosecutor's office whose day-to-day tasks and activities help fulfill the prosecutor's obligation to victims with regards to the Crime Victim Rights Act. VOCA grant funds may be awarded to prosecutors to support direct service positions that provide victim services that enhance and expand services beyond those mandated requirements under the Victim Rights Act; however, VOCA crime victim assistance funds cannot be used to supplant state and local funds that would otherwise be available for crime victim services.

- ii. Religiously-Affiliated Organizations: Such organizations may receive VOCA funds but must ensure that services are offered to all crime victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event.
  - iii. State Crime Victim Compensation Agencies: Compensation programs, including both centralized and decentralized programs, may receive VOCA assistance funds if they offer direct services to crime victims that extend beyond the essential duties of compensation staff such as claims investigations, distribution of information about compensation and referral to other sources of public and private assistance. Such services would include assisting victims in identifying and accessing needed services and resources.
  - iv. Hospitals and Emergency Medical Facilities: Such organizations must offer crisis counseling, support groups, and/or other types of victim services.
  - v. Others: State and local public agencies such as mental health service organizations, state/local public child and adult protective services, state grantees, legal services agencies and programs with a demonstrated history of advocacy on behalf of domestic violence victims, and public housing authorities that have components specifically trained to serve crime victims.
- e. Ineligible Recipients of VOCA Funds:

Some public and non-profit organizations that offer services to crime victims are not eligible to receive VOCA victim assistance funding. These organizations include, but are not limited to, the following:

- i. Federal agencies: This includes US Attorneys Offices and FBI Field Offices. Receipt of VOCA funds would constitute an augmentation of the federal budget with money intended for state agencies. However, private non-profit organizations that operate on federal land may be eligible subrecipients of VOCA victim assistance grant funds.
- ii. In-Patient Treatment Facilities: For example, those designed to provide treatment to individuals with drug, alcohol, and/or mental health-related conditions.

f. Services, Activities, and Costs at the Subrecipient Level

- i. Allowable Costs for Direct Services: The following is a listing of services, activities, and costs that are eligible for support with VOCA victim assistance grant funds within a subrecipient's organization:
  1. Immediate Health and Safety: Those services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food; clothing for sexual assault victims after forensic medical examination; transportation; and shelter (including emergency, short-term nursing shelter for elder abuse victims for whom no other safe, short-term residence is available); and other emergency services that are intended to restore the victim's sense of security. This includes services that offer an immediate measure of safety to crime victims such as boarding up broken windows and replacing or repairing locks. Also allowable is emergency legal assistance such as filing personal protection orders and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim.
  2. Mental Health Assistance: Those services and activities that assist the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after a victimization such as counseling, group treatment, and therapy.
  3. Assistance with Participation in Criminal Justice Proceedings: In addition to the cost of emergency legal services noted above in section 1. "Immediate Health and Safety", there are other costs associated with helping victims participate in the criminal justice

system that also are allowable. These services may include advocacy on behalf of crime victims; accompaniment to criminal justice offices and court; transportation to court; child care or respite care for a dependent adult to enable a victim to attend court; enhanced victim support services not covered by the Victims' Rights Act, assistance with post sentencing parole consideration procedures; assistance with victim impact statements, and restitution advocacy on behalf of specific crime victims. Victim notification and other legally mandated services are not VOCA eligible. VOCA funds cannot be used to pay for non-emergency legal representation such as divorces, child custody disputes, or civil restitution recovery efforts.

4. Forensic Examinations: For sexual assault victims, forensic exams are allowable costs only to the extent that other funding sources (such as state compensation or private insurance or public benefits) are unavailable or insufficient and, such exams conform with state evidentiary collection requirements.
5. Costs Necessary and Essential to Providing Direct Services: This includes pro-rated costs of rent (occupancy charges are not allowed), telephone service, transportation costs for victims to receive services, emergency transportation costs that enable a victim to participate in the criminal justice system, and local travel expenses for service providers. The VOCA grant application instructions may outline dollar limitations for these other costs.
6. Special Services: Services to assist crime victims with managing practical problems created by the victimization such as acting on behalf of the victim with other service providers, creditors, or employers; assisting the victim to recover property that is retained as evidence; assisting victims in filing for crime victims compensation; and helping victims to apply for public assistance.
7. Personnel Costs: Costs that are directly related to providing direct services, such as staff salaries and fringe benefits, including professional malpractice insurance; the cost of advertising to recruit VOCA-funded personnel; and the cost of training for paid and volunteer direct service staff. Subrecipients may only request reimbursement from VOCA for vacation hours, compensatory hours, and sick leave that are accrued and taken during the current grant period.
8. Restorative Justice: Opportunities for crime victims to meet with perpetrators, if such meetings are requested or voluntarily agreed

to by the victim and have possible 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 will be considered: (1) the safety and security of the victim; (2) the benefit or therapeutic value to the victim; (3) the procedures for ensuring that participation of the victim and offender are voluntary and that everyone understands the nature of the meeting; (4) the provision of appropriate support and accompaniment for the victim; (5) appropriate “debriefing” opportunities for the victim after the meeting or panel; (6) the credentials of the facilitators; (7) the opportunity for a crime victim to withdraw from the process at any time. VOCA assistance funds cannot be used for victim-offender meetings which serve to replace criminal justice proceedings.

g. Other Allowable Costs and Services:

The services, activities, and costs listed below are not generally considered direct crime victim services but are often a necessary and essential activity to ensure that quality direct services are provided. Before these costs can be supported with VOCA funds, CVS staff will determine that direct services to crime victims cannot be offered without support for these expenses; that the subrecipient has no other source of support for them; and that only limited amounts of VOCA funds will be used for these purposes. The following list provides examples of such items:

- i. Skills Training for Staff: VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers including paid staff and volunteers, so that they are better able to offer quality services to crime victims. An example of skills development is training focused on how to respond to a victim in crisis, to include CPR and first aid training.

VOCA funds can be used for registration fees for training both VOCA-funded and non VOCA-funded service providers who work within a VOCA subrecipient organization, but VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services.

- 1. Victim Compensation Training: Subrecipients will designate a victim compensation coordinator within their agency. This coordinator must have received victim compensation training from their county attorney’s office. 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.

2. Victims' Rights Training: Non-criminal justice agencies will ensure that all DPS VOCA-funded staff and their first line supervisor have received victims' rights training from the Arizona Attorney General's Office or another criminal justice agency.
- ii. Training Materials: VOCA funds can be used to purchase materials such as books, training manuals, and videos for direct service providers, within the VOCA-funded organization, and can support the costs of a trainer for in-service staff development. Staff from other organizations may attend in-service training activities that are held for the subrecipient staff provided that the number of outside trainees is minimal compared to those being trained for the agency.
- iii. Training Related Travel: VOCA funds can support costs such as travel, meals, and lodging to attend skills building conference training within Arizona or a similar geographic area so that travel costs will be minimal. Rental car costs may be allowable with prior approval from CVS and must follow the state travel policy. Travel costs included in VOCA agreements may not exceed current state rates or agency Board approved travel rates, whichever is less. Current state travel rates can be found in the Public Forms and Information Section of the Web-based Automated Grants System. On-site supporting documentation of travel expenses charged to this agreement must be maintained.

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 skills development training opportunities for direct service staff. When needed training is unavailable within the immediate geographical area, CVS may authorize, on an individual basis, the use of VOCA funds to support training outside of Arizona. For example, VOCA subrecipients may benefit by attending national conferences that offer skills building training workshops for victim assistance providers. Out-of-state conference requests require prior approval from CVS staff, with the exception of travel to attend the National Organization for Victims Assistance (NOVA). Travel costs for up to two VOCA-funded full-time personnel per agency may be included in the budget proposal.

- iv. Equipment and Furniture: VOCA funds may be utilized to purchase furniture and equipment that supports or enhances direct services to crime victims, as demonstrated by the VOCA subrecipient. VOCA funds cannot support the entire cost of an item that is not used exclusively for victim-

related activities. However, VOCA funds can support a prorated share of such an item. In addition, VOCA funds may not be used to purchase equipment for another organization or individual to perform a victim-related service.

Examples of allowable costs may include pagers, cell phones; video-tape cameras and players for interviewing children; two-way mirrors; TVs, VCRs, Polaroid cameras, equipment and furniture for shelters, desks, chairs and locking file cabinets for staff work spaces, personal computers and printers, chairs and tables for victim waiting rooms and children's play areas. The costs of furniture, equipment such as Braille equipment or TTY/TTD machines for the deaf, minor building alterations/improvements that make victim services more accessible to persons with disabilities are allowable. Before decisions are made on approval of these items, these requests will be reviewed in accordance with the federal financial guidelines.

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

- v. Purchasing or Leasing Vehicles: VOCA funds may be used to purchase or lease vehicles if it can be demonstrated to CVS that such an expenditure is essential to delivering services to crime victims.
- vi. Advanced Technologies: At times, technology may increase a subrecipient's ability to reach and serve crime victims. For example, satellite Orders of Protection locations have dramatically improved the efficiency of criminal justice participation and enhanced victim safety and security. VOCA funds may not be able to support the entire cost of such technology.
- vii. Contracts for Professional Services: VOCA funds generally should not be used to support contracted services, and subrecipients are prohibited from using a majority of VOCA funds for contracted services. Principal activities of the project may not be subgranted or contracted out to another organization without the approval of CVS staff. At times, however, it may be necessary for VOCA subrecipients to use a portion of the VOCA grant to contract for specialized services. Examples of these services include emergency legal assistance in filing personal protection orders or establishing emergency custody/visitation rights in family violence cases (the provider must have a demonstrated history of advocacy on behalf of

domestic violence victims); forensic examinations on a sexual assault victim to the extent that other funding sources are unavailable or insufficient; emergency psychological or psychiatric services; or sign and/or interpretation for the deaf or for crime victims whose primary language is not English.

Subrecipients are prohibited from using a majority of VOCA funds for contracted services, which contain administrative, overhead, and other indirect costs in the hourly or daily rate.

Contractual fees may not exceed rates set by CVS and agencies must maintain signed agreements for consultant/contractual services.

- viii. **Operating Costs:** Examples of allowable operating costs include supplies; equipment use fees, when supported by usage logs; printing, photocopying, and postage; brochures which describe available services; and books and other victim related materials. VOCA funds may support administrative time of the funded staff to complete VOCA-required time and attendance sheets and programmatic documentation, reports, statistics, and time to maintain crime victims' records. VOCA funds cannot support accounting or payroll processing service costs.
- ix. **Supervision of Direct Service Providers:** VOCA funds may be used for supervision of direct service providers when it is determined by CVS personnel that such supervision is necessary and essential to providing direct services to crime victims. For example, using VOCA funds to support a coordinator of volunteers or interns is a cost-effective way of serving more crime victims.
- x. **Repair and/or Replacement of Essential Items:** VOCA funds may be used for repair and replacement of items that contribute to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. Each request for VOCA funds for such purposes will be scrutinized to ensure the following: (1) that the building is owned by the subrecipient organization and not rented or leased, (2) all other sources of funding have been exhausted, (3) there is no available option for providing the service in another location, (4) the cost of the repair or replacement is reasonable considering the value of the building, and (5) the cost of the repair or replacement is pro-rated among all sources of income.
- xi. **Public Presentations:** VOCA funds may be used to support presentations that are made in schools, community centers, or other public forums, and that are designed to identify crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be

supported by VOCA funds. This activity may be an occasional duty of a VOCA-funded position.

h. Non-Allowable Costs and Activities:

The following services, activities, and costs, although not exhaustive, cannot be supported with VOCA victim assistance funds at the subrecipient level:

- i. Lobbying and Administrative Advocacy: VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.
- ii. Perpetrator Rehabilitation and Counseling: Subrecipients cannot use VOCA funds to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.
- iii. Needs Assessments, Surveys, Evaluations, and Studies: VOCA program funds may not be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.
- iv. Prosecution Activities: VOCA funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification and management activities and expert testimony at a trial. VOCA funds cannot support the service of Orders of Protection. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.
- v. Fundraising Activities.
- vi. Indirect Organizational Costs: The costs of liability insurance on buildings; capital improvements; security guards and body guards; occupancy charges; property losses and expenses; real estate purchases; mortgage payments; and construction may not be supported with VOCA funds.
- vii. Property Loss: Reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.
- viii. Most Medical Costs: VOCA victim assistance funds cannot support medical costs resulting from a victimization, except for forensic medical examinations for sexual assault victims only to the extent that other

funding sources (such as state compensation or private insurance, or public benefits) are unavailable or insufficient.

VOCA funds cannot pay for nursing home care, home healthcare costs, in-patient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment.

- ix. Relocation Expenses: VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.
- x. Administrative Staff Expenses: VOCA funds may not support salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals, unless these expenses are incurred while providing direct services to crime victims.
- xi. Development of Protocols, Interagency Agreements, and Other Working Agreements: These activities benefit crime victims, but are considered examples of the types of activities that subrecipients undertake as part of their role as a victim services organization, which in turn qualifies the agency as an eligible VOCA subrecipient.
- xii. Costs of Sending Individual Crime Victims to Conferences.
- xiii. Activities Exclusively Related to Crime Prevention.

#### **IV. Subrecipient Responsibilities**

##### **a. 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 on-line grants management system at [www.azvictims.org](http://www.azvictims.org).

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/CVS, a reporting or performance delinquency from

one project will result in the withholding of payment for all current projects. Mailed and facsimile copies of reports will not be accepted for processing.

- i. Monthly Financial Reports are due the 15<sup>th</sup> of each month following the end of the monthly report period. This report must reflect actual federal and match expenditures.
- ii. Quarterly Statistical and Programmatic Reports are due no later than 30 days following the end of the quarter. This report includes quarterly victim service and performance measure activities.
- iii. Annual Narrative Report is due no later than 30 days following the end of the project period.
- iv. Year-end Agreement Amendment Request must be submitted on line when a subrecipient has remaining funds in their budgets to reflect actual expenditures. This process will automatically revert unexpended funds to DPS. Year-end amendments are due no later than 30 days following the end of the project period.
- v. DPS Crime Victim Services survey is due annually upon request.

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.

b. Amendments:

To modify a current agreement, the subrecipient is required to use an Agreement Amendment Request form to notify and request changes. This request must be completed on line and is required for all modifications to include: (1) budget changes; (2) changes in funded staff; or (3) changes in scope of the programmatic activities or purpose of the project. All changes must be justified with a detailed explanation.

The following changes don't require an Agreement Amendment and may be requested via email through the subrecipient's grant coordinator: (1) Project Contact; (2) Civil Rights Contact; (3) Crime Victim Compensation Coordinator; (4) Project Director; (5) Financial Contact; (6) Authorized Official; (7) telephone numbers; (8) email addresses; or (9) project address changes.

c. 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 CVS 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.

d. Funding Acknowledgement:

If subrecipient receives VOCA funding for printing costs, to include materials publicizing award activities, press releases, program brochures and other information about the project, acknowledgement of VOCA support must be included on all publications in the following format:

This project is supported by Grant No. 20\_\_-VA-GX-00\_\_ 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.

e. 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 will include:

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

f. Legal Finding Regarding Suits Against Funded Agencies:

A subrecipient must inform DPS/CVS in writing if any federal or state court or administrative agency makes a finding of discrimination, taken against the subrecipient on the grounds of race, religion, national origin, sex, or disability against a recipient of VOCA victim assistance funds. A copy of the findings will be forwarded to DPS/CVS for the state of Arizona and the Office for Civil Rights Compliance at Office of Justice Programs at the Department of Justice.

g. Reporting Suspected Fraud, Waste and Abuse:

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

h. 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, OJP Financial Guide, and applicable OMB Circulars and Common Rules. This section describes the audit requirements for subrecipients.

Consistent with regulations set forth by the Single Audit Act Amendments of 1996, and Office of Management and Budget Circular A-133, revision, "Audits of States, Local Governments, and Non-Profit Organizations," as revised, ([www.whitehouse.gov/omb/grants](http://www.whitehouse.gov/omb/grants)), a copy of the agency's annual audit shall be provided to DPS/CVS within 30 days following the audit but no later than nine months following the end of the fiscal year, if applicable.

This audit submission requirement pertains to all agencies which expend \$500,000 or more in federal funding during a fiscal year. Each agency must apply the provisions of the Single Audit Act Amendments of 1996, and the revised OMB Circular A-133, to determine if it is subject to an organization-wide "single audit" or "program specific audit," based on the level of federal expenditures. If an organization-wide "single audit" is required, federal expenditures should be included in the scope of the auditor's risk-based approach, as provided by the revised OMB Circular A-133. A "program specific audit" may be performed when an agency expends \$500,000 in federal funds under only one federal program (i.e. VOCA).

If the audit disclosed findings or recommendations, a corrective plan that outlines the following is required:

- i. The name and number of the contact person responsible for the corrective action for the subrecipient.
- ii. Specific steps taken to comply with the recommendations.

iii. Timetable for performance and/or implementation dates for each recommendation.

iv. Descriptions of monitoring to be conducted to ensure implementation.

Mail original copy of the completed Single Audit or audit report package to:

Arizona Department of Public Safety  
Crime Victim Services Unit – Mail Drop 1320  
PO Box 6638  
Phoenix, AZ 85005-6638

Mail original copy of the completed Single Audit report package to:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

Agencies that expend less than \$500,000 a year in federal funds are exempt from the single audit requirements for that year, however, records must be available for review or audit by appropriate officials of DPS or federal agencies (i.e., Federal awarding agency or General Accounting Office). DPS or federal agencies may also conduct or arrange for “agreed upon procedures” or additional audits to meet their needs.

## **V. 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. While on site, 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; and (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 for a period of at least five years following the closure of the most recent audit report and, with a 24-hour notice, will allow DPS to review all of the subrecipients records concerning this grant project.

## **VI. 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 General Conditions, 8.1 – 8.7.

### **IMPORTANT NOTE:**

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