

Approved

**VAWA Implementation Committee
Summary Minutes
October 3, 2013
2:00PM
Criminal Justice Council
Conference Room- 10th Floor
Carvel State Office Building
820 N. French St.
Wilmington, DE 19801**

Committee Members Present: Hon. Vincent Poppiti (Chair); Hon. Robert Coupe; Josephine MacLaine; Stephanie Hamilton;

CJC Staff Present: Maureen Monagle; Andrew Spruill

Attendees: Amanda Pollock (ContactLifeline, Inc./ SAND); Carol Post (DCADV); Bridget Poulle (DVCC);

The agenda items were discussed in the following order:

1. Approval of the minutes from the June 13, 201 meeting:

The minutes were approved as submitted.

2. 2013 Domestic Violence Fund Solicitation:

The Committee was provided a draft solicitation for the “2013 Domestic Violence Fund.” The total amount collected during the July 1, 2012-June 30, 2013 period was \$94,425. The CJC retains 5% (\$4,721) for Administrative costs; making the total amount available under the solicitation \$89,704.

Staff pointed out the changes to the program (highlighted in the draft). As discussed during previous meetings, the Committee asked the DVCC and CJC to review the program and make suggestions with allowable/unallowable costs. After some discussion the following items are now not allowable:

- Purchase/leasing of vehicles. Similar to federal programs, the purchase of vehicles is not allowed. One of the concerns staff expressed was the commitment of a lease/purchase agreement. The DV Fund is to be made competitive on a yearly basis. If a program enters into a multi-year purchase or lease agreement, the expectation would be that funding continues. Staff did not advise this continue. The amount collected seem to fluctuate (this year is less), can put a program at risk if the funding doesn't continue.
- Indirect Cost Rates: Similar to federal programs, Indirect Cost Rates may not be applied to the DV Fund. Agencies may include direct

operational costs (utilities, phone, etc) at a pro-rated cost as is accepted in other programs.

- A motion was made to approve the 2013 DV Fund solicitation and make it available for competitive bid. Motion approved unanimously.
- The solicitation will be distributed to the various task forces and listserves, and an announcement will be made during the DV Awareness Proclamation Signing.

3. VAWA Re-authorization:

As discussed at previous meetings, the Violence Against Women Act (VAWA) was re-authorized in March 2013 (“VAWA 2013”). Those changes came into effect October 1, 2013

OVW is slowly releasing information related to VAWA 2013. Some information is still pending further review and advisement from OVW legal staff. Maureen prepared a document to summarize some of the changes (hand-out).

Grant related changes under VAWA 2013 will be applied to FFY2014-FFY2018 budgets.

Some of the items were high-lighted for the Committee, as it will impact the planning for the FFY2014 STOP VAW Formula Grant Program:

- States must submit the new Three-Year Plan at the same time as the application (states are no longer given 120 days after the award notice). This makes the new plan due in March 2014 time-frame.
- Added significant burden and required levels of documentation to ensure all required agencies/partners participate in planning.
- Requires States coordinate with planning of other federal programs. The CJC administers the VOCA-Assistance and FVPSA grants; and the Public Health Service Act funding, which is administered by Delaware’s Office of Women’s Health.
- Changes the allocation for the 5% is TO the Courts, not “for.” (Doesn’t impact Delaware’s distribution).
- Expands the purpose areas to 20. A separate list of the STOP Grant Purpose areas was provided.
- States must set aside 20% in two or more of the categories (victim services, law enforcement, prosecution, courts) that “meaningfully address sexual assault.” States are still waiting for OVW’s interpretation/guidance on what is meant by “meaningfully address.” Historically, the STOP funds in Delaware have only targeted a victim services program to respond to sexually assault. This requirement will change the distribution of funds in the future.
- Change in Match: Continues the no match requirement for programs funded under NPO/Victim Services. The change lessens the burden on the State to make up difference.
- Change to forensic exam certification: Requires the SAA to “coordinate” with health care providers. SAAs are still waiting for

guidance from OVW on what they consider a health care provider, and what documentation they will accept for certification. States are given three years from the enactment to be fully compliant (March 2016).

- The Prison Rape Elimination Act (PREA) is now ties to all funding under USDOJ. States may lose 5% of federal funds if not compliant with PREA Certifications. DOC is pretty far along in the PREA planning. Maureen will invite Mike Records, the PREA Coordinator for DOC, to an upcoming meeting to brief the Committee on PREA. Everyone received a copy of OVW's "*Frequently Asked Questions on the STOP Violence Against Women Formula Program and the PREA Certification Requirement.*"

4. Federal Grant Update:

- **SASP Formula Grant Update:**
 - FY2011 (\$153,458): closed, pending OVW approval.
 - FY2012 (\$233.227): All funds awarded as of 7/1/13.
- **STOP Formula Grant Update**
 - **FY2010** (\$890,952): End date **4/30/14**.
 - All funds are fully obligated.
 - **FY2011** (\$893,875): End date **6/30/14**
 - Maureen reported that the CJC and DSP agreed to reduce the FFY2011 award for the LET. Changes in federal regulations for food and conferences have made it difficult and the previous level of funding is too high. Funding was reduced by \$15,000.
 - The Capitol Police submitted a request to the Executive Director, seeking reverted funds to support a project they wanted to initiate. After the February shooting at the NCCo Courthouse, the Capitol Police would like to develop an "Early Warning System" to alert the court and Capitol Police when a potential lethal domestic violence situation may present at the courthouse. They want to utilize the information from the Lethality Assessment Program (LAP) that is entered on the police reports. After much discussion with CJC staff and Capitol Police, Maureen expressed concern with the reliance of LAP because LAP is not being done in every department, or, if it is being done, it is not done the same throughout the state. The Executive Director did approve the Capitol Police for reverted funds to contract a position to evaluate the use/effectiveness of LAP, and to train officers on LAP. That grant was still under review, but the CJC and Capitol Police are moving forward.
 - Some discussion continued on the challenges various agencies have had with implementing

LAP. The CJC will be working with others (DVCC, DCADV, DSP, etc) to determine training needs and to implement the use of LAP. One of the comments is the time it takes to complete the report; a suggestion was made on how to make the LAP more accessible to officers. Similar to the app that was created by DSP to report crimes. Staff will continue to update the Committee.

- **FY2012** (\$887,639): 6/30/2014
The CJC will be asking for a 12-month no-cost extension in March 2014. There is an unobligated amount in the discretionary funds. No action was recommended at this time.
- **FY2013** (\$869,733): End date 6/30/15
The Committee voted, during a previous meeting, to continue programs at the same funding levels. This was done when OVW issued statement saying the new plan will be applied to the FFY2014 funding. The Committee was informed of the reduction in the award amount. Staff will develop funding spreadsheet to accommodate continuation amounts. That will be provided to the Committee during the December meeting. The Committee's recommendations will be presented to the DVCC (12/9/13) and the CJC (12/16/13) for final approval.

5. Follow-up:

- **Lethality Assessment Program (LAP):**

The Team * that traveled to Boston for the "High Risk DV" Conference have been looking at information on the LAP in DE. The shelter programs provided information on the LAP Calls the hotlines have received since 2010. This is the only source of info that we know exists on tracking LAP Screened Calls to the Hotline.

There are some police departments that have never had a LAP Screened in to the hotline.

The groups is going to be discussing this in early 2014 to determine the best approach to re-engage the police chiefs in the LAP as a law enforcement tool. This will also be helpful to have the contract with Capitol Police to work on this.

Maureen will continue to update the Committee.

**Collaborative effort with: DSP, DCADV, DOJ, DOC P&P, NCCPD, WPD, Child Inc, People's Place, DVCC, and CJC*

- **Law Enforcement Annual Conference:**

Maureen made an announcement that the Annual Law Enforcement Conference will be December 9th at Polytech in Dover. CJC Staff was excited that DSP could contract Lt. Mark Wynn. Lt Wynn is retired

Nashville PD. Topics are still being negotiated, but Lethality Assessment will be covered during the lunch. The CJC has committed some of the DV Fund 5% Admin grant to cover the cost of lunch. They're trying to have a "Best Case Scenario" model of LAP that was performed by a local department (possibly WPD).

6. Other/Public Comment:

No comments made at this time.

Without anything further, the meeting was adjourned. The next meeting has been scheduled for December 3rd at 10:00AM. The meeting location was not confirmed, but will be in Wilmington. Maureen will send notice once location is set.

Respectfully Submitted,
Maureen Monagle