

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

337



**FROM:** PROBATION DEPARTMENT

**SUBMITTAL DATE:**  
June 17, 2010

**SUBJECT:** Approval to Submit a Grant Application to the California Emergency Management Agency for the Violence Against Women Program (VAW).

**RECOMMENDED MOTION;** Move that the Board of Supervisors authorize:

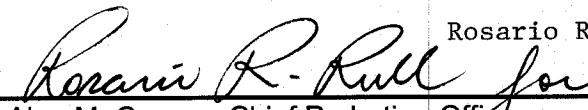
- 1) The Chief Probation Officer to submit a grant application to the California Emergency Management Agency for the Violence Against Women Program (VAW), and
- 2) The Chief Probation Officer to sign all forms necessary to complete the grant application submittal on behalf of the County, and
- 3) The Chair to sign the Certification of Assurance Compliance Form.

**BACKGROUND:**

On April 1, 1999, the Probation Department began operation of a specialized domestic violence unit with grant funding. Adult offenders of violent crimes against women in the Riverside-Moreno Valley area are supervised by specially trained sworn staff in the Adult Services Division of the department.

(Continued to Page 2)

FORM APPROVED COUNTY COUNSEL 6/17/10  
 BY: NEAL R. KIPNIS  
 DATE: \_\_\_\_\_  
 Departmental Concurrence

  
 Alan M. Crogan, Chief Probation Officer

PBR-24-09/10/sh

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$133,000	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 33,000	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 33,333	For Fiscal Year:	2010-11
<b>SOURCE OF FUNDS:</b> Federal-75%, County 25% (in-kind)				Positions To Be Deleted Per A-30 <input checked="" type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

County Executive Office Signature BY:   
Elizabeth J. Olson

- Consent
- Consent

Dep't Recomm:  
Per Exec. Ofc.:

**3.50**

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Since then, the Probation Department has reapplied for the grant and has received multiple year awards. This is a new application for another three years of funding with the first year starting October 1, 2010 through September 30, 2011.

The goals of the specialized domestic violence unit program include ensuring a high level of structure and control through intensive supervision for offenders to assist them in maintaining compliance with court orders and affecting positive behavior changes through treatment. Throughout the course of supervision, sworn staff hold offenders accountable and improve community safety through immediate action when a violation of terms of probation or new offense occurs. The grant provides funding which allows sworn staff to maintain reduced caseloads; weekly contact and monitoring; plus individual treatment plans for offenders. Additionally, victims also receive support and protection through special referrals for services and interventions.

This grant application is for \$133,333 for 2010/11 which includes a required match of \$33,333. The match is included in the department's 2010/11 budget. This grant will continue funding for one (1) Senior Probation Officer and one (1) Deputy Probation Officer.

The grant does require action by the Board of Supervisors approving and signing the Certificate of Compliance Form.

County Counsel has approved this document as to form.

**CERTIFICATION OF ASSURANCE OF COMPLIANCE**  
**With Statutory Requirements of the Violence Against Women Act (VAWA) As Amended,**  
**Services\*Training\*Officers\*Prosecutors (STOP) Formula Grant Program**

The applicant must complete a Certification of Assurance of Compliance-VAWA (Cal EMA 2-104g), which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program (EEO), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board and the statutory requirements of the VAWA S\*T\*O\*P Formula Grant Program. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Award Agreement. In signing the Grant Award Face Sheet, the applicant formally notifies Cal EMA that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal EMA has incorporated the resolution into the Certification of Assurance of Compliance, Section VI, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

**CERTIFICATION OF ASSURANCE OF COMPLIANCE**  
**With Statutory Requirements of the Violence Against Women Act (VAWA) As Amended,**  
**Services\*Training\*Officers\*Prosecutors (STOP) Formula Grant Program**

I, Alan M. Crogan hereby certify that  
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: County of Riverside

IMPLEMENTING AGENCY: Riverside County Probation Department

PROJECT TITLE: Moreno Valley and Riverside Anti-Violence Against Women Program

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by Cal EMA including, but not limited to, the following areas:

**I. Federal Grant Funds**

Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Recipient Handbook for more detail.

- The above named recipient receives \$500,000 or more in federal grant funds annually.
- The above named recipient does not receive \$500,000 or more in federal grant funds annually.

**II. Equal Employment Opportunity – (Recipient Handbook Section 2151)**

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **Cal EMA-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: Andrea Greer  
Title: Probation Department Division Director  
Address: P.O. Box 833, Riverside, CA 92502-1086  
Phone: (951) 955-2830  
Email: aegreer@rcprob.us

**III. Drug-Free Workplace Act of 1990 – (Recipient Handbook, Section 2152)**

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

**IV. California Environmental Quality Act (CEQA) – (Recipient Handbook, Section 2153)**

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal EMA funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

**V. Lobbying – (Recipient Handbook Section 2154)**

Cal EMA grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

**VI. Debarment and Suspension – (Recipient Handbook Section 2155)**

*(This applies to federally funded grants only.)*

Cal EMA-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

**VII. Proof of Authority from City Council/Governing Board**

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal EMA, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and Cal EMA disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal EMA shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

**VIII. Filing Costs for Criminal Charges and Protection**

Its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.

**IX. Forensic Medical Examination Payment Requirement for Victims of Sexual Assault**

The state or territory, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault.

The state or territory, Indian tribal government, unit of local government, or another governmental entity does not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

**X. *Judicial Notification***

The state's judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws.

**XI. *Polygraph Testing Prohibition***

The state or local unit of government's laws, policies, or practices ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

- Under 42 U.S.C. 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

**XII. *Nondisclosure of confidential or private information regarding services for victims***

Recipients and subrecipients may not disclose personally identifying information about victims served with Violence Against Women funds without a written release, unless the disclosure of the information is required by a statute or court order. "Personally identifying information" means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking. Releases must be written, informed and reasonably time-limited and signed by the victim unless the victim is an un-emancipated minor or a person with disabilities.

**XIII. *Consultation and Documentation with local victim services programs***  
*(Applies only to law enforcement, prosecution and the courts)*

Tribal, territorial, State, or local prosecution, law enforcement, and courts must consult with tribal, territorial, State or local victim service programs during the course of developing their grant applications. This will ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

All appropriate documentation must be maintained on file by the project and available for Cal EMA or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the Cal EMA determines that any of the following has occurred:

(1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION	
<p>I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.</p>	
Authorized Official's Signature:	_____
Authorized Official's Typed Name:	<u>Alan M. Crogan</u>
Authorized Official's Title:	<u>Chief Probation Officer</u>
Date Executed:	<u>6/29/10</u>
Federal Employer ID #:	<u>95-6000930</u>
Federal DUNS #:	<u>830246182</u>
Current Central Contractor Registration	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Executed in the City/County of:	<u>Riverside/Riverside</u>
<b>AUTHORIZED BY:</b> <i>(not applicable to State agencies)</i>	
<input type="checkbox"/> City Financial Officer	<input type="checkbox"/> County Financial Officer
<input type="checkbox"/> City Manager	<input type="checkbox"/> County Manager
<input checked="" type="checkbox"/> Governing Board Chair	
Signature:	_____
Typed Name:	<u>Marion Ashley</u>
Title:	<u>Chair, Board of Supervisors</u>

FORM APPROVED COUNTY COUNSEL  
BY: NEAL R. KIPNIS DATE 6/29/10