

**TIM LANE**  
**Scott County Sheriff**



Item #11  
9/18/18

**SHAWN ROTH**  
Chief Deputy Sheriff

**BRYCE SCHMIDT**  
Chief Deputy Sheriff

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September 18, 2018

Memo To: Scott County Board of Supervisors

From: Sheriff Tim Lane

**REF: Apply for 3-Year VAWA Grant**

The Sheriff's Office is asking for Board approval to apply for the Violence Against Women grant from the Iowa Attorney General's Office, Crime Victim Assistance Division. This is a 3-year grant that reimburses up to 95 percent of the salary for one deputy sheriff in the Criminal Investigations Division, who focuses his time on domestic, stalking and sexual assault cases. There is a 25% match and the benefits paid by Scott County are used as the matching funds for the grant. The Sheriff's Office has been receiving funds from this grant for over 17 years.

## **CVAD Certified Assurances and Compliance**

**The following certified assurances and compliance regulations are applicable to all CVAD funded projects, programs and/or agencies.**

1. Crime Victim Assistance grant funds under any federal funding source (including but not limited to Victims of Crime Act, STOP Violence Against Women, Family Violence Prevention & Services Act and Sexual Abuse Services Program) will enhance or expand victim services and will not **supplant** state or local funds appropriated for crime victim services.

2. Will maintain confidentiality of client-counselor information as required by state and federal law.

### **3. Civil Rights and Non Discrimination**

The Subgrantee understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);

The Subgrantee understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by the Office on Violence Against Women, may also apply to other awards.

In the event that a Federal or State court or Federal or State administrative agency makes a **finding of discrimination** after a due process hearing on the grounds of race, color, religion, national origin, sex, age, or disability against the program, the program will forward the findings to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Office, Crime Victim Assistance Division (CVAD).

Subgrantee will comply, and all its contractors and subgrantees will comply, with any applicable federal **nondiscrimination requirements**, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 as amended (29 U.S.C. § 791); the Americans Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations). Additional information about civil rights obligation of grantees can be found at <http://www.ojp.usdoj.gov/ocr/>.

Subgrantee will maintain statutorily required **civil rights statistics** on victims served by race, gender, national origin, age and disability and permit reasonable access to its books, documents, papers, and records to determine whether they are complying with applicable civil rights laws. This requirement is waived when soliciting the information may be inappropriate or offensive to the crime victim.



4. The Applicant will give the DOJ and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award made by the Department based on the application.

If the Applicant is a governmental entity, with respect to the award made by the DOJ based on the application--

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. § 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

5. Subgrantee will determine whether it is required to formulate an **Equal Opportunity Program (EEOP)**, in accordance with 28 CFR Part 38 and 42. If the program is not required to formulate an EEOP, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Crime Victim Assistance Division (CVAD) indicating that it is not required to develop an EEOP. If the program is required to develop an EEOP, but is not required to submit the EEOP to the OCR, the applicant will submit a certification form to the OCR and the CVAD certifying that it has an EEOP on file which meets the applicable requirements. If the applicant is awarded a grant of \$500,000 or more and has fifty or more employees, it will submit a copy of its EEOP to the OCR and the CVAD. Non-profit organizations, Indian Tribes, and medical and education institutions are exempt from the EEOP requirement, but are required to submit a certification form to the OCR to claim the exemption. A copy of the certification form should also be submitted to the CVAD. Additional information regarding a grantee's EEOP requirements can be found at [http://www.ojp.usdoj.gov/about/ocr/eeop\\_comply.htm](http://www.ojp.usdoj.gov/about/ocr/eeop_comply.htm).

6. Subgrantee will maintain client, staff, policy and procedure information and that **reports** shall be submitted, in the correct form, on time, and containing information as required by the Crime Victim Assistance Division.

7. Subgrantee will comply with Iowa Code Chapter 216 as amended which governs civil rights protection in Iowa; and Iowa Code Section 8.11 regarding Minority Impact Statements; the Iowa Attorney General's Crime Victim Assistance Division rules as contained in the Iowa Administrative Code, 61 IAC Chapter 9, Section 9.50 through 9.65; and the policies of the Iowa Attorney General's Crime Victim Assistance Division. The Department will not reimburse the Program for construction of buildings or the purchase of buildings or land.

#### **8. Policies**

a. Subgrantee will create a sexual harassment policy which includes the process for filing a grievance of sexual harassment by a staff member, client, victim, or volunteer. The process shall take into consideration how to file a complaint against a supervisor, administrator or director. After the creation of the sexual harassment policy, all current staff and volunteers, as well as new staff and volunteers will sign an acknowledgement form that they have reviewed and understand the sexual harassment policy. One copy will be provided to the staff member, or volunteer and one will be kept in their personnel file.

b. Subgrantee will comply with the Drug-Free Workplace Act of 1988, implemented at 28 CFR Part 67, subpart F, for programs, as defined at 28 CFR Part 67 Sections 67.615 and 67.620 or any updates therein.

c. Subgrantee will encourage adoption and enforcement of on-the-job seat belt policies and programs for its employees, contractors, and subrecipients when operating agency-owned, rented, or personally owned vehicles pursuant to 23 USC 402 and 403, and 29 USC 668 or any updates therein.

d. Subgrantee certifies it has appropriate **accounting, auditing, and monitoring** policies and procedures will be used so that records are maintained to insure fiscal control, proper management, and efficient distribution of the victim assistance funds.

9. Fund accounting, auditing, monitoring, evaluation procedures, and such **records** as the Attorney General's Crime Victim Assistance Division (CVAD) shall prescribe, shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.

10. Subgrantee shall maintain such data and information and submit such **reports** in such form, at such times, and containing such data and information as the CVAD may reasonably require administering the program.

11. Non-Federal entities that expend \$750,000 or more a year in Federal funds (from all sources including pass-through awards) in the organization fiscal year (12 month turnaround reporting period) shall have a single organization-wide audit conducted as required by Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Non-Federal entities that expend less than \$750,000 a year in Federal awards are exempt from Federal audit requirements for that year. Audits must be conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. All private agencies agree to perform **an audit in accordance with Iowa Code Section 11.36** audit requirements.

12. **Due Dates for Audit Reports** Audit reports are due the earlier of thirty days after receipt of the auditor's report or (9) nine months after the end of the audit period as outlined in 2 CFR part 200, subpart F. Audits must be sent to CVAD upon completion.

13. Grant funds cannot be used as direct payment to any victim or dependent of a victim.

14. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with **Federal money**, all programs receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the projects or program.

15. Subgrantee will comply with any **additional eligibility or service criteria** established by the Crime Victim Assistance Division.

16. Subgrantee will expend funds received only for the purposes and activities covered by the program's approved application and budget; and that the grant may be **suspended or terminated** at any time by the CVAD if the program fails to comply with the provisions of the awarded funding source, Victim Services

Grant Program Administrative Rules or any of the certified assurances listed in this document.

**17.** Subgrantee will compensate employees at no less than minimum wage, and provide safe and sanitary working conditions.

**18.** Subgrantee will notify the Crime Victim Assistance Division (CVAD) office **in writing, by e-mail, or through correspondence section of IowaGrants.gov** within 30 days of any staffing change which includes CVAD-funded staff and any key personnel. Key personnel includes Executive Director, Program Director, Supervisor, Financial Director/Manager or others key personnel determined by CVAD.

**19.** Subgrantee will notify the Crime Victim Assistance Division (CVAD) office **in writing or via e-mail** of any CVAD-funded positions that remain vacant for 45 days or more. This notification must include reason for vacancy and plan for filling the position.

**20.** All CVAD funded staff, non CVAD funded staff used for required match and volunteers hours used for CVAD match will keep time and attendance records showing the hours and activities attributable to all CVAD funded programs.

**21.** Subgrantee will cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

**22.** Subgrantee understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties. Subgrantee will comply with 45 CFR 92.35 and Executive Order 12549 and any updates therein regarding Debarment and Suspension. In order to see if your organization is debarred or suspended a list is available on the web at [www.sam.gov](http://www.sam.gov). Any program that receives CVAD-funds and is on the Debarment and Suspension list must notify the Crime Victim Assistance Division (CVAD).

**23.** This award is subject to the Federal Funding Accountability and Transparency Act (FFATA) of 2006.

**24.** Program will provide services to victims of crime at **no charge**. No income eligibility standards will be imposed on individuals receiving assistance or services supported with CVAD funds.

**I certify that I have read and understand the above assurances and will comply with all of the CVAD provisions and corresponding funding provisions.**

Scott County Sheriff's Office Liaison Program

Program Name

Signature of Authorized Representative

Date

Tony Knobbe

Scott County Board of Supervisors Chairman

Typed Name of Authorized Representative

Title of Authorized Representative

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Program Director Signature

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Date

Tim Lane

Scott County Sheriff

Typed Name of Program Director

Title of Program Director

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES  
THAT THIS RESOLUTION HAS BEEN FORMALLY  
APPROVED BY THE BOARD OF SUPERVISORS ON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SCOTT COUNTY AUDITOR

## R E S O L U T I O N

### SCOTT COUNTY BOARD OF SUPERVISORS

September 20, 2018

APPROVAL OF AN APPLICATION FOR A THREE-YEAR GRANT FROM THE IOWA  
ATTORNEY GENERAL'S OFFICE, CRIME VICTIM ASSISTANCE DIVISION AND THE  
SCOTT COUNTY SHERIFF'S OFFICE

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the Board hereby approves application for a grant from the  
Iowa Attorney General's Office, Crime Victim Assistance Division  
and the Scott County Sheriff's Office is hereby approved.
- Section 2. That, if accepted, the Board approves receipt of such funding.
- Section 3. That the Chair is approved to sign such application.
- Section 4. This resolution shall take effect immediately.