

## Attachment A



### Department of Justice

Office on Violence Against Women

September 29, 2015

Washington, D.C. 20531

The Honorable Don Ness  
City of Duluth  
411 W. 1st St.  
Duluth, MN 55802-0000

Dear Mayor Ness:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office on Violence Against Women has approved your application for funding under the Special Initiative Technical Assistance Program in the amount of \$150,000 for City of Duluth. This award will support the creation of a customized version of the Blueprint for Safety: An Interagency Response to Domestic Violence Crimes.

Enclosed you will find the award package. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact Kevin Sweeney at (202) 514-7909. For financial grants management questions, contact the OVW Grants Financial Management Division at (202) 514-8556, or by e-mail at [ovw.gfmd@usdoj.gov](mailto:ovw.gfmd@usdoj.gov). For payment questions, contact the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or by email at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Bea Hanson".

Bea Hanson  
Principal Deputy Director

Enclosures



## OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

Department of Justice

810 7th Street, NW  
Washington, DC 20531

Tel: (202) 307-0690  
TTY: (202) 307-2027  
E-mail: [askOCR@usdoj.gov](mailto:askOCR@usdoj.gov)  
Website: [www.ojp.usdoj.gov/ocr](http://www.ojp.usdoj.gov/ocr)

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September 29, 2015

The Honorable Don Ness  
City of Duluth  
411 W. 1st St.  
Duluth, MN 55802-0000

Dear Mayor Ness:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

### Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

### Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

### **Providing Services to Limited English Proficiency (LEP) Individuals**

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

### **Ensuring Equal Treatment for Faith-Based Organizations**

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at [http://www.ojp.usdoj.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm).

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

### **Using Arrest and Conviction Records in Making Employment Decisions**

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at [http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction\\_Advisory.pdf](http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf). Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

### **Complying with the Safe Streets Act**

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

### **Meeting the EEOP Requirement**

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at [EEOSubmission@usdoj.gov](mailto:EEOSubmission@usdoj.gov).

### **Meeting the Requirement to Submit Findings of Discrimination**

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

### **Ensuring the Compliance of Subrecipients**

SAAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see [http://www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston  
Director


cc: Grant Manager  
Financial Analyst



Department of Justice  
Office on Violence Against Women

## Cooperative Agreement

PAGE 1 OF 12

<b>1. RECIPIENT NAME AND ADDRESS (Including Zip Code)</b> City of Duluth 411 W. 1st St. Duluth, MN 55802-0000		<b>4. AWARD NUMBER:</b> 2015-WE-AX-K001	
		<b>5. PROJECT PERIOD:</b> FROM 10/01/2015 TO 03/31/2017 <b>BUDGET PERIOD:</b> FROM 10/01/2015 TO 03/31/2017	
<b>2a. GRANTEE IRS/VENDOR NO.</b> 416005106		<b>6. AWARD DATE</b> 09/29/2015	<b>7. ACTION</b>  Initial
<b>2b. GRANTEE DUNS NO.</b> 077627883		<b>8. SUPPLEMENT NUMBER</b> 00	
<b>3. PROJECT TITLE</b> Continuation, Implementation and Disparity Work of the Blueprint for Safety		<b>9. PREVIOUS AWARD AMOUNT</b> \$ 0	
		<b>10. AMOUNT OF THIS AWARD</b> \$ 150,000	
		<b>11. TOTAL AWARD</b> \$ 150,000	
<b>12. SPECIAL CONDITIONS</b> THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
<b>13. STATUTORY AUTHORITY FOR GRANT</b> This project is supported under 42 U.S.C. 3796hh - 3796hh-4 (OVW - Arrest)			
<b>14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)</b> 16.526 - OVW Technical Assistance Initiative			
<b>15. METHOD OF PAYMENT</b> GPRS			
<b>AGENCY APPROVAL</b>		<b>GRANTEE ACCEPTANCE</b>	
<b>16. TYPED NAME AND TITLE OF APPROVING OFFICIAL</b>  Bea Hanson Principal Deputy Director		<b>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL</b>  Don Ness Mayor	
<b>17. SIGNATURE OF APPROVING OFFICIAL</b>  		<b>19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL</b>	<b>19A. DATE</b>
<b>AGENCY USE ONLY</b>			
<b>20. ACCOUNTING CLASSIFICATION CODES</b> FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT  X A W4 29 00 00 150000		<b>21. W415D00045</b>	



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 2 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

***SPECIAL CONDITIONS***

1. The recipient agrees to comply with the financial and administrative requirements set forth in 2 CFR Part 200 and the current edition of the Department of Justice (DOJ) Grants Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights is a violation of the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
3. The recipient agrees to comply with the applicable audit requirements of 2 CFR Part 200 or OMB Circular A-133, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) are not satisfactorily and promptly addressed as further described in the audit requirements and the current edition of the DOJ Grants Financial Guide.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express prior written approval of OVW, in order to avoid violation of 18 USC § 1913. The recipient may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 42 USC 13925(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.
5. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov) hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig)



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 3 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

*SPECIAL CONDITIONS*

6. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award --

a. it represents that --

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

7. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OVW.

8. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 4 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

***SPECIAL CONDITIONS***

9. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OVW). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office on Violence Against Women web site at <http://www.ovw.usdoj.gov/docs/sam-award-term.pdf> (Award condition: Registration with the System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
10. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
11. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ovw.usdoj.gov/grantees.html>.
12. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
13. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
14. The grantee agrees to follow the applicable set of general terms and conditions which are available at <http://www.justice.gov/ovw/grantees>. These do not supersede any specific conditions in this award document.
15. The Violence Against Women Reauthorization Act of 2013 added a new civil rights provision that applies to all OVW grants issued in FY 2014 or after. This provision prohibits OVW grantees from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. The grantee acknowledges that it will comply with this provision.
16. The recipient acknowledges that they are responsible for maintaining updated contact information in the Grants Management System. To update information in GMS for either the point of contact and/or the authorized representative, grantees must submit a Grant Adjustment Notice.
17. The grantee agrees that funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.





Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 5 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

*SPECIAL CONDITIONS*

18. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, trainings, and other events), including the provision of food and/ or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at <http://www.ovw.usdoj.gov/grantees.html>.
19. The grantee agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, and OVW's implementing regulations at 28 CFR Part 90.
20. The grantee must be in compliance with specifications outlined in the solicitation under which the approved application was submitted. The program solicitation is hereby incorporated by reference into this award.
21. The recipient 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.
22. The recipient understands and agrees that grant funds may be frozen if the recipient does not respond in a timely fashion to requests to address Office of the Inspector General audit findings and financial or programmatic monitoring findings.
23. Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with OVW grant funds, without prior written approval from OVW.
24. The Director of OVW, upon a finding that there has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, will terminate or suspend until the Director is satisfied that there is no longer such failure, all or part of the award, in accordance with the provisions of 28 CFR Part 18, as applicable mutatis mutandis.
25. The grantee agrees that if they receive any funding that is duplicative of funding received under this grant, they will notify their OVW grant manager as soon as possible so that a Grant Adjustment Notice (GAN) can be issued modifying the budget and project activities to eliminate the duplication. Further, the grantee agrees and understands that any duplicative funding that cannot be re-programmed to support non-duplicative activities within the program's statutory scope will be deobligated from this award and returned to OVW.
26. The grantee agrees to comply with the provisions of 42 U.S.C. 13925(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The grantee also agrees to ensure that any subgrantees meet these requirements.
27. The grantee agrees to submit semiannual progress reports that describe project activities during the reporting period. Progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1 - June 30 and July 1 - December 31 for the duration of the award. Future awards may be withheld if progress reports are delinquent. Grantees are required to submit this information online, through the Grants Management System (GMS), on the semi-annual progress report for the relevant OVW grant programs.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 6 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

*SPECIAL CONDITIONS*

28. Under the Government Performance and Results Act (GPRA), VAWA 2000 and subsequent legislation, grantees are required to collect and maintain data that measure the effectiveness of their grant-funded activities. Accordingly, the grantee agrees to submit semi-annual electronic progress reports on program activities and program effectiveness measures. Grantees are required to collect the information that is included on the Measuring Effectiveness Progress Report for the OVW Program under which this award is funded.
29. A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 90 days after the end of the award. The Final Progress Report should be submitted to the Office on Violence Against Women through the Grants Management System with the Report Type indicated as "Final".
30. The recipient agrees that it will submit quarterly financial status reports to OVW on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at [www.whitehouse.gov/omb/grants/standard\\_forms/ff\\_report.pdf](http://www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf)), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
31. The grantee agrees to attend and participate in OVW-sponsored technical assistance. Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, webinars, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers. All training will be coordinated by OVW-designated technical assistance providers.
32. Funds allocated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval by OVW. To request approval, grantees must submit a Program Office Approval Grant Adjustment Notice (GAN) via the Grants Management System (GMS). The grantee must include a copy of the event's brochure, curriculum and/or agenda, a description of the hosts or trainers, and an estimated breakdown of costs should be attached to the GAN. The GAN request must be submitted to OVW at least 20 days prior to registering for the event. Approval to attend non-OVW sponsored events will be considered on a case-by-case basis. This prior approval process also applies to requests for the use of OVW-designated technical assistance funds to pay a consultant or contractor not designated as an OVW technical assistance provider to develop and/or provide training and/or technical assistance.
33. First-time grantees, or continuation grantees if requested, must agree to have key staff members, as identified by OVW, attend the OVW grantee orientation seminar, which may be offered in-person, online, or a combination of both. Additionally, if there is a change in the project director/coordinator during the grant period, the grantee agrees, at the earliest opportunity, to send the new project director/coordinator, regardless of prior experience with this or any other federal award, to an OVW grantee orientation seminar or require completion of the orientation online, whichever is available.
34. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day or \$81.25 per hour. A detailed justification must be submitted to and approved by the Office on Violence Against Women prior to obligation or expenditure of such funds. Although prior approval is not required for consultant rates below these specified amounts, grantees are required to maintain documentation to support all daily or hourly rates.
35. The recipient agrees to submit one copy of all required reports and any other written materials or products that are funded under this project not less than twenty (20) days prior to public release for OVW review and approval. Prior review and approval of all such material is required if project funds are to be used to publish or distribute any written material developed under this award.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 7 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

***SPECIAL CONDITIONS***

36. All materials and publications (written, visual, or sound) resulting from award activities shall contain the following statements: "This project was supported by Grant No. \_\_\_\_\_ awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women."
37. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.
38. The grantee agrees that grant funds will not support activities that compromise victim safety and recovery, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; pre-trial diversion programs not approved by OVW or the placement of offenders in such programs; mediation, couples counseling, family counseling or any other manner of joint victim-offender counseling; mandatory counseling for victims, penalizing victims who refuse to testify, or promoting procedures that would require victims to seek legal sanctions against their abusers (e.g., seek a protection order, file formal complaint); the placement of perpetrators in anger management programs; or any other activities outlined in the solicitation under which the approved application was submitted.
39. The grantee agrees to submit for OVW review and approval any anticipated addition of, removal of, or change in collaborating partner agencies or individuals who are signatories of the Memorandum of Understanding, and if applicable, the Internal Memorandum of Agreement.
40. Pursuant to 2 CFR §200.315(b), the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. The Office on Violence Against Women reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish or otherwise use the work, in whole or in part (including in the creation of derivative works), for Federal purposes, and to authorize others to do so.

The Office on Violence Against Women also reserves a royalty-free, nonexclusive and irrevocable right to reproduce publish or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient of this award, for Federal purposes, and to authorize others to do so.

In addition, the recipient (or subrecipient, contractor or subcontractor) must obtain advance written approval from the Office on Violence Against Women program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**

**Cooperative Agreement**

PAGE 8 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

*SPECIAL CONDITIONS*

41. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office on Violence Against Women web site at: <http://www.ovv.usdoj.gov/docs/ffata-award-term.pdf> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own and/or operate in his or her name).
42. The cost allowed for logistical conference planning (this is applicable regardless of whether the recipient is planning in-house or is contracting with an outside conference planner) is limited to \$50 for each attendee (costs of trainers, instructors, presenters and facilitators are to be included as attendees when calculating the planning threshold), not to exceed a cumulative total of \$8,750. For example, if the number of attendees at a conference is 100, the cost allowed for a logistical planner is \$5,000 (\$50 X 100 attendees). Indirect cost rates must be applied to conference planning costs in accordance with negotiated agreements and must be included when calculating the planning thresholds. If it is expected that the conference planning will meet these limitations, no further justification is required. If these limitations are expected to be exceeded, the recipient must justify the costs in writing and those costs must be approved by the Office on Violence Against Women before the recipient proceeds with the logistical planning.
43. The cost allowed for programmatic conference planning (this is applicable regardless of whether the recipient is planning in-house or is contracting with an outside programmatic conference planner) is limited to \$200 for each attendee (costs of trainers, instructors, presenters and facilitators are to be included as attendees when calculating the planning threshold) not to exceed a cumulative cost total of \$35,000. For example, if the number of attendees at the conference is 100, the cost allowed for a programmatic planner is \$20,000 (\$200 X 100 attendees). Indirect cost rates must be applied to conference planning costs in accordance with negotiated agreements and must be included when calculating the planning thresholds. If these limitations are met, no further justification or approval is required. If it is expected that these limitations will be exceeded, the costs must be justified in writing and approved by the Office on Violence Against Women before the recipient proceeds with the programmatic planning.
44. Recipients must limit the cost of conference space and audio-visual equipment to \$25 per day per attendee, not to exceed a total of \$20,000 for the conference. Indirect cost rates must be applied to conference space and audio-visual equipment costs in accordance with negotiated agreements, and must be included when calculating this threshold. If these limitations are going to be exceeded the recipient must submit a justification, in writing to the Office on Violence Against Women for approval before the recipient enters into any contract for the use of conference space and audio-visual equipment.
45. Trinkets (items such as hats, mugs, portfolios, t-shirts, coins, etc., regardless of whether they include the conference name or logo) must not be purchased with funds made available under this agreement. Basic supplies that are necessary for use during the conference (e.g., pens, paper, name tags) may be purchased.
46. Funds made available under this agreement may not be used for costs of entertainment, including amusement, diversion, social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 9 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

***SPECIAL CONDITIONS***

47. Subject to OVW prior approval, and under limited circumstances, OVW funds may be used to purchase food and/or beverages for meals served during a meeting, conference or training and under very specific circumstances, during refreshment breaks. Refreshment breaks will only be considered where there are unique and extenuating circumstances and require significant justification. OVW may approve the use of funds to purchase food and/or beverages served at a working meal if the recipient can justify that provision of the meal is necessary to accomplish official business and enhance the cost effectiveness of the conference. For example, a meal may be permissible where the conference would need to be extended if the working meal is not provided.

Furthermore, if a meal is approved by OVW, the cost of any individual meal, plus taxes and any hotel service costs (e.g., labor cost for room setup), must not exceed 150 percent of the General Services Administration (GSA) Meals and Incidental Expenses (M&IE) rate for that meal in that locality per attendee. OVW strongly encourages costs to stay at or below 100% of the applicable per diem rate for any meal provided, including any service costs. The current GSA M&IE rate breakdown by meal and by locality can be found at <http://www.gsa.gov/portal/content/101518>. This restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organizations travel policy.

48. The recipient must complete and submit the Conference and Events Approval Form to OVW for review and approval prior to entering into any contract (with the exception of logistical or programmatic planning contracts) or expending any funds for any meeting, conference, training, or other event.
49. Within 30 days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded, in whole or in part, under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with a completed Conference and Events Reporting Form found at <http://www.ovw.usdoj.gov/receive-grant.html>. (Note that the conference expenditures reported on this form should be all those that were paid with OVW funds; do not report those that were funded by another entity.)
50. Pursuant to 42 USC 3796hh(d), the grantee understands that 5% of this award is being withheld and that it may not obligate, expend or drawdown that 5% unless, by the period ending on the date on which the next session of the State legislature ends, the State or unit of local government:

(1) certifies that it has a law, policy, or regulation that requires -

(A) the State or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than 48 hours after the date on which the information or indictment is presented and the defendant is in custody or has been served with the information or indictment;

(B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and

(C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B).

The "next session of the State legislature" means the next session after the date on which the application for this award was submitted.

If the grantee submits a certification, a Grant Adjustment Notice (GAN) will be issued, and the funds will become available for drawdown. If, by the date on which the next session of the State legislature ends, the grantee is not in compliance with this provision, the withheld funds will be deobligated from the amount of funds awarded for this award period.

51. Grantees may not use grant funds to support a website and/or listserv.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 10 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

*SPECIAL CONDITIONS*

52. TERMS OF COOPERATIVE AGREEMENT

The Office on Violence Against Women (OVW) has elected to enter into a Cooperative Agreement with the City of Duluth, MN to continue the implementation of the Blueprint for Safety Adaptation Demonstration Project in their community. The City of Duluth was selected as one of three sites to create a customized version of the Blueprint for Safety: A Criminal Justice System Interagency Response to Domestic Violence Crimes. Furthermore, this project anticipates a significant level of federal involvement in the implementation of the proposed activities.

STATEMENT OF FEDERAL INVOLVEMENT

The Office on Violence Against Women will:

1. Provide the services of a Federal Program Manager as a single point of contact for administration of this cooperative agreement.
2. Review and approve or disapprove the content and format of materials produced in conjunction with this project.
3. Review and approve topics and content for local and peer-to-peer training events and meetings.
4. Work as a member of a Technical Assistance Consultant Team to guide review, develop and implement processes for this project.
5. Provide guidance on how certain policies and procedures produce disparate outcomes and how this information will be incorporated into the City of Duluth Blueprint for Safety.
6. Monitor program development and implementation, and fulfill an oversight function regarding the project including:
  - a) participating in project-related planning meetings and conference calls;
  - b) reviewing and approving or disapproving all written and web-based materials produced in relation to this project;
  - c) approving the content and format of all educational materials in the development, editorial and final stages;
  - d) assisting in the identification of individuals to serve as facilitators, faculty, consulting or working group members, etc., and approving final selections;
  - e) approving sites and dates for all project-related activities;
  - f) providing input, re-directing the training and/or technical assistance as needed, and actively monitoring the project by methods including but not limited to ongoing contact with the recipient; and
  - g) approving or disapproving any modifications to the project scope, key project partners, deliverables, and timeline for all project-related activities, including but not limited to substantive changes to previously approved educational materials or professional tools.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 11 OF 12

PROJECT NUMBER 2015-WA-AX-K001

AWARD DATE 09/29/2015

*SPECIAL CONDITIONS*

**53. TERMS OF COOPERATIVE AGREEMENT**

**STATEMENT OF RECIPIENT RESPONSIBILITIES**

The City of Duluth will comply with all terms and conditions in this cooperative agreement, including those described below.

1. Utilize OVW training and technical assistance (TA) to implement the Blueprint for Safety demonstration project in an effort to improve their criminal justice system's coordination and response to domestic violence;
2. Establish and maintain working committees or groups, with guidance from OVW and its designated OVW TA providers, to assess the current state of their criminal justice system's response to domestic violence and review, evaluate, and revise identified policy, practices and procedures to be consistent with the six Blueprint principles.
3. Establish and maintain an implementation committee, with guidance from OVW and designated OVW TA providers, to facilitate and monitor the implementation and compliance for the newly developed unified protocol for the City of Duluth Blueprint for Safety.
4. Maintain a current Memorandum of Agreement (MOU) with all key project agencies that identifies assigned members to working groups or committees, outlines project tasks to be accomplished and who will be responsible for each task, and states the agencies commitment to the project and its processes, which includes consideration of disparity and unintended consequences.
5. Participate in scheduled on-site and off-site TA training events, video conferences, meetings, and on-going working group sessions.
6. Actively participate, in coordination with the TA consultant team, in all assessment and evaluation processes working towards the development of an agreed upon, unified Blueprint for Safety protocol, that articulates how the criminal justice system will respond to domestic violence criminal cases.
7. Maintain a qualified full-time Program Coordinator (not less than 40 hours per week) who will work closely with the OVW TA Consultant Team and designated OVW TA providers, to facilitate the project's implementation at the local level.
8. Work in coordination with the local non-profit victim service provider to provide meaningful participation opportunities throughout all phases of this project.
9. Compile documentation of all site visits, meetings, trainings, webinars, telephonic or video conference calls, and other relevant events, which at a minimum will include: a) names and the organization of individuals that participated; b) date of the event; b) state the purpose and summary of discussion; and c) details for next steps or outcomes.
10. Work cooperatively with OVW in the development and implementation of this project, including providing a meaningful opportunity for OVW staff to:
  - a) participate in project-related planning meetings and conference calls;
  - b) review and approve or disapprove all written and web-based materials produced in relation to this project;
  - c) approve the content and format of all educational materials in the development, editorial and final stages;
  - d) assist in the identification of individuals to serve as facilitators, faculty, consulting or working group members, and approve final selections;



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Cooperative Agreement**

PAGE 12 OF 12

PROJECT NUMBER 2015-WE-AX-K001

AWARD DATE 09/29/2015

***SPECIAL CONDITIONS***

e) approve sites, dates, and agendas for all project-related activities; and

f) approve or disapprove any modifications to the project scope, key project partners, deliverables, and timeline for all project-related activities, including but not limited to substantive changes to previously approved educational materials or professional tools.

54. The grantee acknowledges that it has a current OVW grant award that is supporting the same purpose areas as this new award. The recipient may obligate, expend and draw down from this award only funds for travel related expenses to attend OVW-sponsored technical assistance events up to \$10,000. The grantee agrees not to obligate, expend, or draw down any additional funds under this award until all funds are expended on their current OVW award for the same purpose(s). If the grantee needs to obligate, expend, or draw down additional funds from this award prior to the completion/expiration of the current award, they must submit a written request to their Program Specialist for review and approval. Once the request is approved, a Grant Adjustment Notice will be issued allowing the grantee access to funds.
55. The recipient's budget is pending review and approval. The recipient may obligate, expend and draw down funds for travel related expenses to attend OVW-sponsored technical assistance events up to \$10,000, unless there is another condition on the award prohibiting obligation, expenditure, and drawdown of any funds in which case the condition prohibiting any obligation, expenditure or drawdown of funds will control. Remaining funds will not be available for draw down until the Office on Violence Against Women, Grants Financial Management Division has approved the budget and budget narrative, and a Grant Adjustment Notice has been issued removing this special condition. Any obligations or expenditures incurred by the recipient prior to the budget being approved are made at the recipient's own risk. If applicable, the Indirect Cost Rate will be identified in the Grant Adjustment Notice when the budget is approved.





**Department of Justice**

*Office on Violence Against Women*

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*Washington, D.C. 20531*

**Memorandum To:** Official Grant File

**From:** Marnie Shiels, Attorney Advisor

**Subject:** Categorical Exclusion for City of Duluth

The Office on Violence Against Women (OVW) Technical Assistance Program provides OVW grantees and subgrantees with the expertise and support they need to develop and implement successful state, local, tribal, and campus projects; increase victim safety; and bolster offender accountability. Through cooperative agreements, OVW supports educational initiatives, conferences, peer-to-peer consultations, and targeted assistance that allow its grantees to learn from experts and one another about how to overcome obstacles and incorporate promising practices in their efforts to address violence against women. In addition, OVW is focused on building the capacity of criminal justice and victim services organizations to respond effectively to domestic violence, dating violence, sexual assault, and stalking and to foster partnerships between organizations that have not traditionally worked together to address violence against women, such as faith- and community- based organizations.

None of the following activities will be conducted under the OVW federal action:

1. New construction.
2. Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year floodplain.
3. A renovation which will change the basic prior use of a facility or significantly change its size.
4. Research and technology whose anticipated and future application could be expected to have an effect on the environment.
5. Implementation of a program involving the use of chemicals. Consequently, the subject federal action meets the criteria for a categorical exclusion as contained in paragraph 4.(b) of Appendix D to Part 61 of the Code of Federal Regulations (adopted by OVW at 28 CFR § 0.122(b)).



Department of Justice  
Office on Violence Against Women

**GRANT MANAGER'S MEMORANDUM, PT. I:  
PROJECT SUMMARY**

**Cooperative Agreement**

PROJECT NUMBER

2015-WE-AX-K001

PAGE 1 OF 1

This project is supported under 42 U.S.C. 3796hh - 3796hh-4 (OVW - Arrest)

**1. STAFF CONTACT (Name & telephone number)**

Kevin Sweeney  
(202) 514-7909

**2. PROJECT DIRECTOR (Name, address & telephone number)**

Robert Shene  
Sergeant  
411 W. 1st St.  
City Hall  
Duluth, MN 55802-0000  
(218) 730-5499

**3a. TITLE OF THE PROGRAM**

OVW FY 2015 Special Initiative Sites Program

**3b. POMS CODE (SEE INSTRUCTIONS  
ON REVERSE)**

**4. TITLE OF PROJECT**

Continuation, Implementation and Disparity Work of the Blueprint for Safety

**5. NAME & ADDRESS OF GRANTEE**

City of Duluth  
411 W. 1st St.  
Duluth, MN 55802-0000

**6. NAME & ADDRESS OF SUBGRANTEE**

**7. PROGRAM PERIOD**

FROM: 10/01/2015 TO: 03/31/2017

**8. BUDGET PERIOD**

FROM: 10/01/2015 TO: 03/31/2017

**9. AMOUNT OF AWARD**

\$ 150,000

**10. DATE OF AWARD**

09/29/2015

**11. SECOND YEAR'S BUDGET**

**12. SECOND YEAR'S BUDGET AMOUNT**

**13. THIRD YEAR'S BUDGET PERIOD**

**14. THIRD YEAR'S BUDGET AMOUNT**

**15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)**

The Office on Violence Against Women (OVW) has entered into a cooperative agreement with the City of Duluth to implement the Blueprint for Safety Adaptation Demonstration Project. Through this cooperative agreement City of Duluth will adapt the Blueprint for Safety model to meet the specific needs of their community. They will continue established process to evaluate and assess their criminal justice systems response to domestic violence criminal cases and establish on unified agreed upon protocol that will hold accountable a system response that adheres to the six foundational principles of the Blueprint for Safety model.

The Blueprint for Safety is a set of plans for interagency case processing in the criminal justice system, anchored in six foundational principles: 1) Adhere to an interagency approach and collective intervention goals; 2) Build attention to the context and severity of the abuse into each intervention; 3) Recognize that most domestic violence is a patterned crime requiring continuing engagement with victims of abuse and offenders; 4) Ensure sure and swift consequences for continued abuse; 5) Use the authority of the criminal justice system to send messages of help and accountability; and 6) Act in ways that reduce unintended consequences and

the disparity of impact on victims and offenders.

Through this continuation award, the project will: 1) continue their interagency working group processes and move towards developing an Implementation Committee comprised of staff from the key criminal justice systems, in consultation with a designated local non-profit victim service provider; 2) maintain a MOU with key agencies, demonstrating their commitment and outlining the roles and responsibilities; 3) participate in specialized technical assistance offered by Praxis International, Inc., their consultants and partners; 4) continue to review and assess agency policies, practices and procedures based on the six Blueprint for Safety foundational principles and continue the work towards developing one agreed upon protocol for the criminal justice systems response to domestic violence criminal cases; 5) facilitate training for criminal justice system employees in conjunction with the implementation of their adapted Blueprint for Safety protocol; 6) evaluate key indicators and outcomes for the compliance and impact of their Blueprint for Safety protocol; and 7) establish an accountability oversight body or committee that processes the authority to review, incorporate needed changes and make compliance recommendations to the Blueprint protocol key agencies.

The performance period for this award is 18 months.  
NC/NCF