

STOP VIOLENCE AGAINST WOMEN ACT

**PROGRAM IMPLEMENTATION PLAN FOR
THE STATE OF TEXAS: 2014 – 2016**



**OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE DIVISION
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2014-2016

TABLE OF CONTENTS

INTRODUCTION	3
DESCRIPTION OF PLANNING PROCESS	4
NEEDS AND CONTEXT	6
PLAN PRIORITIES AND APPROACHES	12
CONCLUSION	19
REFERENCES	20
APPENDIX I.....	21

I. Introduction

The STOP VAWA Formula Grant Program was initially authorized under the Violence Against Women Act of 1994. VAWA was subsequently amended and reauthorized in 2000, 2005, and 2013 to continue federal financial assistance and expand legal reforms. With each reauthorization, VAWA has become more focused on supporting a full range of effective, victim-centered strategies to combat domestic violence, sexual assault, and stalking crimes. Recent VAWA-related enhancements have included a stronger focus on providing services to underserved and culturally-specific populations, health initiatives and prevention efforts while assisting in developing and strengthening effective law enforcement, prosecution and court strategies.

The Violence Against Women Reauthorization Act of 2013 resulted in the improvement, expansion, and continuation of grant programs that address domestic violence, dating violence, sexual assault, and stalking. The emphasis of the STOP Program continues to be on the implementation of comprehensive strategies addressing violence against women that are sensitive to the needs and safety of victims while holding offenders accountable for their crimes. STOP VAWA seeks to create and strengthen durable partnerships between victim advocacy and criminal justice system organizations while encouraging communities to include new resources in order to respond more vigorously to violent crimes against women.

The Office of the Governor's Criminal Justice Division (CJD) is the State Administering Agency (SAA) for the STOP VAWA program from the U.S. Department of Justice, Office on Violence Against Women (OVW). In accordance with federal statutory requirements, CJD allocates STOP VAWA funding amongst five categories of funding as follows: law enforcement (25%), prosecution (25%), courts (5%), non-profit, non-governmental victim services providers (30%) and discretionary (15%). Additionally, OVW mandates that each state submit a three-year strategic implementation plan that details how VAWA funding will be used to prevent, respond to, and mitigate the crimes of violence against women. This document represents the 2014-2016 STOP VAWA Implementation Plan for the State of Texas and is the manifestation of collaborative efforts of valued stakeholders across the state to establish priorities that are designed to provide a holistic, all-encompassing approach to providing services that ensures a victim's right to justice, safety, and healing.

Over the next three years, the priorities detailed in this plan aim to expand and reinforce the State of Texas's infrastructure and ability to respond to crimes of violence against women in a manner that increases offender accountability while providing a seamless delivery of services to all survivors of domestic violence, sexual assault, and stalking regardless of race, color, religion, national origin, sex, gender identity, sexual orientation, or disability.¹

¹ This Implementation Plan was approved by CJD in its current form on December 3, 2013 and may be subject to change over the duration of its existence should modifications and conditions to the federal awards issued to the State of Texas arise.

II. Description of Planning Process

Although OVW provides guidance through identifying federal program priorities, purpose areas, eligibility requirements and funding allocations, CJD strives to foster the creation of priorities that are uniquely Texan in order to better serve the diverse requirements and population of our state. In order to develop state-specific priorities that address the current and future needs of Texas, CJD annually convenes a multi-disciplinary planning committee that embodies the statewide and community partners involved in VAWA funding. To ensure that the voices of underserved, marginalized and/or oppressed communities are included in the planning process, CJD reaches out to non-profit or non-governmental organizations that provide culturally-specific services, federally recognized tribal communities, and partners with diverse backgrounds across the state. A complete list of planning committee attendees can be found in Appendix I.

Consultation with planning committee members affords CJD the opportunity to review the current Implementation Plan, funding strategies, and statewide priorities while gathering valuable input on service gaps and needs in responding to domestic violence, sexual assault, and stalking crimes. Each committee member brings vital information about ground-level problems encountered in the field which allows CJD to remain up to date and well-informed about the issues faced by local law enforcement, prosecutors, courts, victim service providers and others.

Each year, CJD provides committee members with the most current state-specific quantitative and qualitative data including population trends, domestic violence and sexual assault crime statistics, as well as feedback and progress reports from STOP VAWA subgrantees. The data allows committee members to observe broad trends across the state for domestic violence, sexual assault and stalking, determine current and potential problem areas, and remain conversant with the use of STOP VAWA funds and the accomplishments of subgrantees in responding to crimes of violence against women.

In order to coordinate this plan with the state plans for the Family Violence Prevention and Services Act (FVPSA) and Public Health Service Act, staff members from the Texas Health and Human Services Commission (HHSC), Texas Department of State Health Services (DSHS), and Texas Office of the Attorney General (OAG) were members of the VAWA Planning Committee. As a result of this participation, the Implementation Plan drafted presents priorities that make concerted attempts to avoid duplication of efforts and offers more comprehensive solutions in light of funding decisions made at the agencies listed above. Additionally, HHSC, DSHS, and OAG's attendance at the Implementation Plan meeting afforded members an opportunity to forge new working relationships with those agencies to strengthen future collaborative efforts. The Office of the Governor is also the SAA for Victims of Crime Act (VOCA) funding and efforts are made to ensure that both funding streams are utilized in a way that maximize the number of victims served in a manner that is compliant with federal guidelines.

This year's VAWA Planning Committee was also briefed on changes made to OVW-administered programs due to the VAWA Reauthorization Act of 2013. In light of these changes, the planning committee identified new statewide priorities that focus on improving services directed to populations that have been traditionally underserved as well as increased prosecutorial and judicial training opportunities on the unique dynamics of domestic violence, sexual assault, and stalking crimes. These priorities are included in Section IV of the Implementation Plan and will guide future funding decisions across the state.

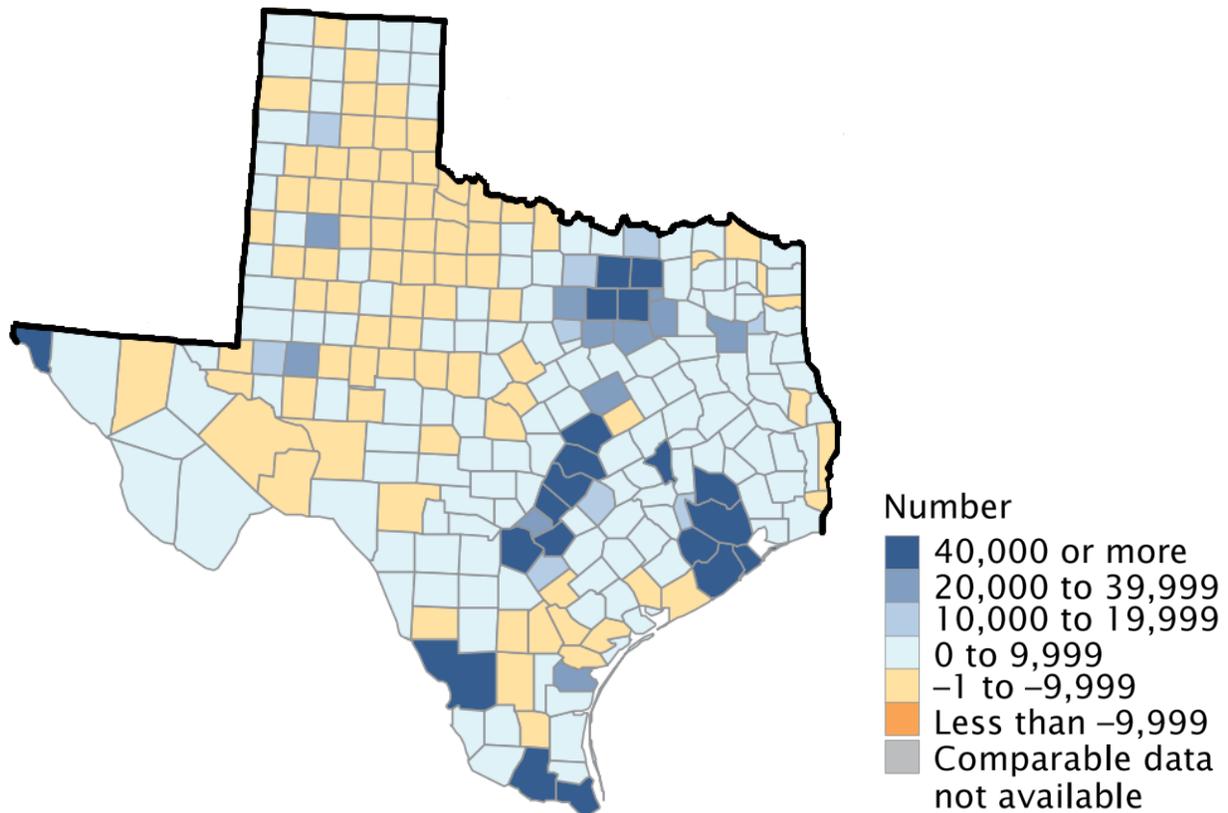
Strategic planning efforts also occur at the local level within the 24 regional Councils of Governments (COGs) CJD contracts with in order to promote intergovernmental communication and collaboration. COGs gather local stakeholders to construct evidence-based strategic plans that embody the statewide priorities determined by CJD while focusing on the unique criminal justice problems found in their region. This ensures that those best qualified to identify gaps in victim services at the local level are given an opportunity to develop and communicate localized plans to CJD while remaining cognizant of the over-arching statewide priorities determined by the VAWA Planning Committee.

III. Needs and Context

Demographics

According to 2010 U.S. Census data, Texas has a total of 25,145,561 residents making it the second most populous state in the country. Between 2000 and 2010, Texas's population increased by 20.6%, making it the fifth fastest growing state in the nation. During the same time period, Texas experienced the highest numeric population increase of any state, adding nearly 4.3 million people (Mackun & Wilson, 2011). Buoyed by strong economic and employment growth, Texas also had eight of the 15 most rapidly growing large cities in the nation a year after the 2010 Census was conducted (U.S. Census Bureau, 2012).

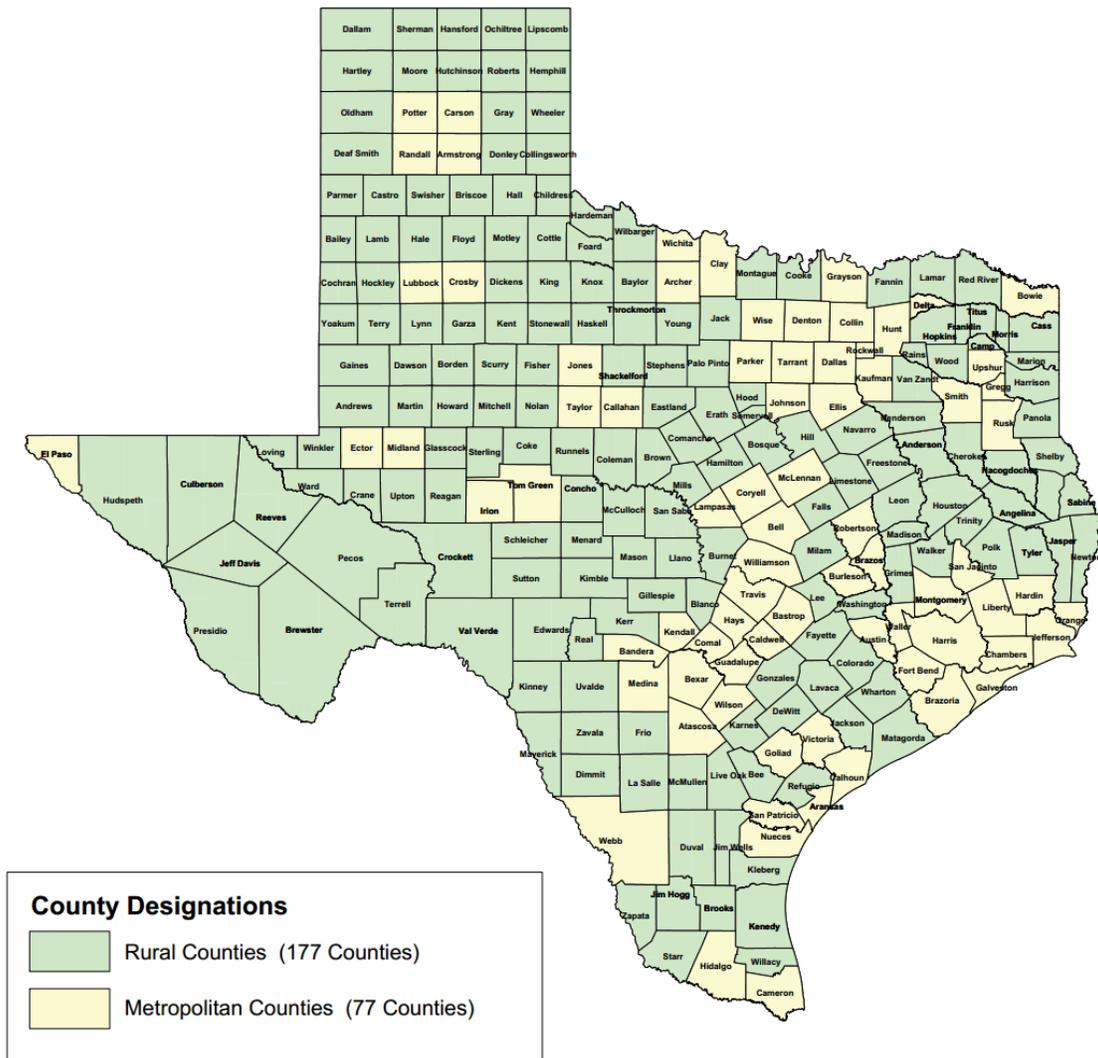
Figure 1. Change in Population by County: 2000 - 2010



Source: 2010 Census Briefs. Population Distribution and Change: 2000 to 2010

Although our state is experiencing a continuing shift of population to urban environments, Texas still contains the nation’s largest rural population, with over six million residents living in rural communities and small cities (U.S Department of Commerce, 2010). The 77 counties that are classified as urban counties in Texas contain 75% of the state’s population. Additionally, there are 64 designated frontier counties with less than seven people per square mile and 32 Border counties that are within 100 km of the U.S./Mexico border in Texas (Texas Department of State Health Services, 2012).

Figure 2. Texas County Designations

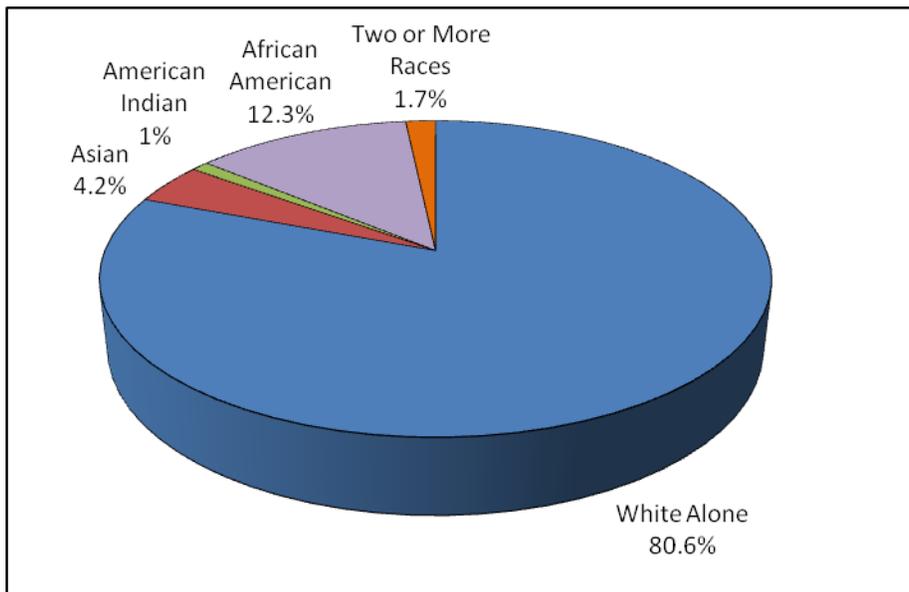


Source: Texas State Office of Rural Health, Office of Rural Affairs, Texas Department of Agriculture. April 2012.

Based on 2010 Census data, 44.5% of Texas’s population are white persons not of Hispanic or Latino origin, 12.3% are Black or African American, 38.2% are Hispanic or Latino, 4.2% are Asian, and 1.0% are American Indian. In addition, 34.4% of the population five years old and over speak a language other than English at home (U.S. Census Bureau, 2013). Three million Texas residents, or approximately 13% of the state’s population, are deemed to be Limited English Proficient (LEP) (National Center on Immigrant Integration Policy, 2011). According to the 2011 American Community Survey (ACS), Texas also has the second largest population of individuals with disabilities in the country (Texas Workforce Investment Council, 2013).

Due to the state’s demographic diversity, geographical differences, and expanding population, it is clear that Texas must remain vigilant in ensuring victim and criminal justice services are available and accessible to culturally-specific and underserved populations throughout the state.

Figure 3. Texas Population by Race (2010)²



Source: 2010 U.S. Census Bureau State & County QuickFacts.

² “White Alone” is comprised of Non-Hispanic and Hispanic ethnicities.

Crime Statistics

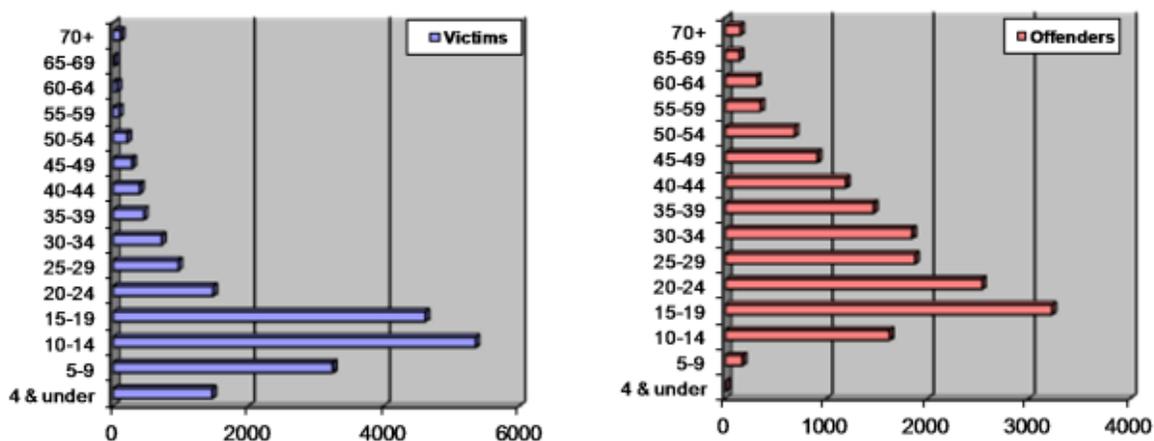
It is important to note that the extent of domestic violence, sexual assault, and stalking crimes in Texas cannot be fully measured through data alone. Since crimes of violence against women often go unreported, there remains a limited ability for the available crime data to be representative of the true prevalence of victimization (Langton, 2012). However, the data available still provides valuable insight and serves as a tool to guide current and future needs, practices and funding decisions. For the purposes of this document, statistics are provided by the Texas Department of Public Safety's Uniform Crime Reporting (UCR) Program and 2012 STOP VAWA Progress Reports.

Sexual Assault

Unrelated to UCR data collection, the Texas Department of Public Safety (DPS) has created a separate data collection program to monitor reported sexual assault incidents in the State of Texas. Since sexual assault incidents are a set of distinct offenses that follow the state Penal Code, they do not always meet the guidelines for the UCR definition of forcible rape. These sexual assault crime statistics were published for the first time in 2011.

In 2012, there were a total of 17,835 sexual assault incidents in the State of Texas. 75.3% of all reported sexual assaults occurred in residences and homes. The vast majority of victims of sexual assault were under the age of 19. The age group showing the highest number of offenders was the 15-to-19 year old bracket. Victims of sexual assault were most often acquainted with their perpetrator.

Figures 4 & 5: Age of Sexual Assault Victims and Offenders in Reported Incidents (2012)



Source: Texas Department of Public Safety, Annual Report of 2012 UCR Data Collection.

Rape

Forcible rape is the only sexual assault offense collected under the crime index. Much of the data collected still relies on the old definition of rape which does not fully portray the number of rape incidences. As of January 2012, the U.S. Attorney General announced a revised definition of rape for the UCR that accounts for all forms of rape, regardless of the victim's gender, relationship to the offender, or mode of penetration. It also includes instances in which the victim is incapable of giving consent because of age or mental or physical inability (Office on Violence Against Women, 2013). CJD applauds the efforts made by law enforcement agencies across the state to ensure that data is accurately collected and reported as a result of this change.

A total of 7,692 forcible rape incidents were reported in the State of Texas in 2012 which equates to a rate of 29.5 incidents per 100,000 residents. Texas law enforcement agencies cleared 45% of all rapes reported through arrest or exceptional means in accordance with UCR Program guidelines.

Domestic Violence

The Texas Family Code defines family violence as an act by a member of a family or household against another member that is intended to result in physical harm, bodily injury, assault, or a threat that reasonably places the member in fear of imminent physical harm. The term "family" includes individuals related by blood, biological parents, foster children and parents, and members of the same household. The Texas Family Code also includes dating violence, which pertains to a relationship between individuals that has been, or is of, a romantic or intimate nature.

There were a total of 188,992 family violence incidents in the State of Texas in 2012. 20-to-24 year olds were most likely to be victims of family violence and the same age group represented the highest number of offenders. 56% of all family violence incidents resulted in minor or major injuries. During the course of responding to reported family violence incidents, 277 Texas law enforcement officers were assaulted.

Figure 6: Family Violence Statistics (2012)

	2012	2011	% Change
Incidents	188,992	177,983	+6.2
Victims	198,504	192,856	+2.9
Offenders	194,317	189,004	+2.8

Source: Texas Department of Public Safety, Annual Report of 2012 UCR Data Collection.

Surveys

CJD surveys STOP VAWA subgrantees to identify remaining areas of need in their region. The chart below summarizes the most common responses received from the survey:

ISSUE
Increased services targeting the indigent
Increased assistance to the immigrant population
Increased local resources in rural areas
Increased services for various underserved populations
Continuing education to professionals
Increased victim cooperation to prosecute
Increased awareness of human trafficking
Increased resources to search for and arrest defendants after obtaining warrants
Increased reporting of sexual assault in border communities

CJD takes steps to mitigate current and future issues by providing equitable funding to projects that address these issues on a yearly basis. In addition to the needs identified at the local and state level during COG community planning and VAWA Implementation Plan meetings, these issues are considered when making funding decisions for projects across the state.

IV. Plan Priorities and Approaches

Identified Goals

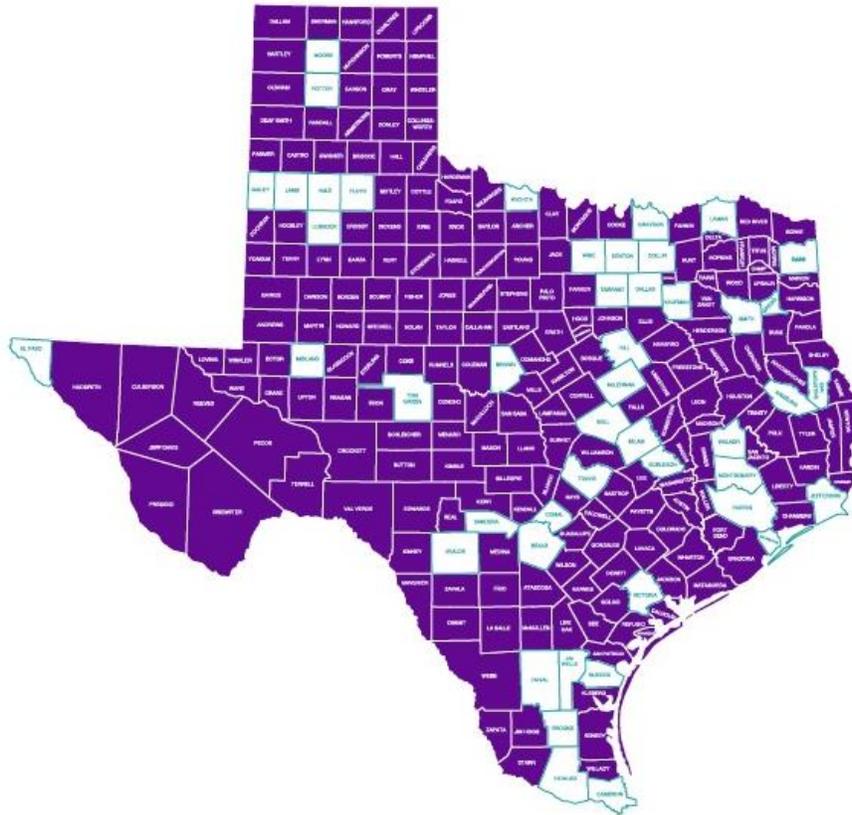
Based on population data, crime statistics, feedback from STOP VAWA subgrantees, and the collective expertise of VAWA Planning Committee members, the following statewide priorities were created to improve criminal justice and victim service provider's response to violent crimes against women:

1. Improve the criminal justice system response to victims of violence against women.
 - ★ Increase offender accountability through investigation, prosecution, and multi-disciplinary team collaboration.
 - ★ Increase service and language accessibility to underserved populations.
 - ★ Promote on-site victim advocates within law enforcement and prosecution agencies.
2. Improve court services regarding domestic violence, sexual assault, dating violence, and stalking.
 - ★ Increase accessibility to courts for underserved victims; especially those with Limited English Proficiency (LEP) and other special needs.
 - ★ Increase access to courts for all victims by providing more training and education to judicial and prosecutorial personnel on the dynamics of violence against women.
3. Support and strengthen victim services.
 - ★ Maintain and enhance core services including, but not limited to, crisis services, protective order assistance, and legal advocacy.
 - ★ Encourage capacity building within agencies to increase accessibility and quality of services to all populations.
4. Increase collaboration and communication efforts across all levels of government and among victim service providers including underutilized partners such as: correction officers, military personnel, tribal communities, and campus police departments.
 - ★ Improve victim outreach in order to direct them to available resources and services and provide information regarding victims' rights.
 - ★ Enhance education and training for criminal justice professionals and victim service providers.

Reducing Domestic Violence-related Homicides

There were 114 women killed as a result of domestic violence murders in the State of Texas in 2012. The areas shaded in white on the map in Figure 7 indicate counties in Texas where at least one woman was killed by her current or former intimate partner.

Figure 7: Domestic Violence Fatalities in Texas (2012)



Source: Texas Council on Family Violence, Honoring Texas Victims: Family Violence Fatalities 2012.

CJD maintains that while the daily, cumulative efforts of VAWA-funded programs across the state have far-reaching impacts in reducing domestic violence fatalities, the issue's severity mandates the need to take measured steps to prevent and reduce domestic violence lethality. Based on crime statistics, population data, and the valued input of VAWA Planning Committee members, the following goals and objectives were created to reduce domestic violence-related homicides within the state:

1. Expeditious and uniform prosecution of domestic violence crimes, including misdemeanor offenses.
 - ★ Maintain and expand use of specialized domestic violence units and courts.
 - ★ Increase victim contact from District Attorney's Offices after offender's arrest.

2. Implement lethality assessments to identify high risk domestic violence victims.
 - ★ Increase victim awareness of available shelter, counseling, advocacy, and support services.
 - ★ Improve collaboration, response and referral protocols for law enforcement and victim service professionals.

3. Continue, expand, and promote domestic violence fatality review programs.
 - ★ Conduct formal, confidential, and systematic evaluation of domestic violence fatality cases.
 - ★ Increase multi-disciplinary collaboration to better identify risk factors, barriers and service gaps in domestic violence incidents.

CJD will continue to support programs that take meaningful steps to reduce domestic violence fatalities and encourages future grantees to consider the listed goals in addition to the statewide priorities when submitting projects with domestic violence-related activities.

Priority Areas

While priorities remain largely unchanged from previous Implementation Plans, the planning committee voiced concern that due to the shifting landscape of our state's population, an emphasis be placed on providing *culturally-specific services* to underserved and/or marginalized populations. This will help ensure that every victim of violence against women in need has an equal ability to access quality, culturally-competent services. Additionally, members of the planning committee stressed that in order to enhance educational awareness and offender accountability, a second focus be placed on *increased training opportunities* for judges and prosecutors, and across all funding allocations to achieve the statewide priorities listed above.

It is the planning committee and CJD's expectation that future STOP VAWA subgrantee projects will meaningfully address the statewide priorities while focusing on providing culturally-specific services as well as peer-to-peer training methods for judges, prosecutors, and others whenever possible. By using these two emphases as a lens to view the statewide priorities through, CJD is confident that problems faced by victims of violence against women across the state will be met head on in a more knowledgeable, efficient, and culturally-sensitive manner than ever before.

Since the State of Texas utilizes a competitive grant funding process, CJD cannot control the type, location, or number of applications received for annual VAWA funding. However, the types of programs and projects that will be supported with STOP dollars will meet statewide priorities while staying compliant with federal mandates and guidelines. STOP VAWA funds will be distributed across the five allocations as described in the introduction section of this Implementation Plan after 10% of the total award to the State of Texas is used for administrative costs.

Texas is already in compliance with the 20 percent set-aside for projects that meaningfully address sexual assault across two or more allocations. For State Fiscal Year 2014, internal grant reports show that Texas is in fact exceeding the 20 percent threshold with 76 funded projects aimed at providing services to sexual assault victims. These projects are spread out across all funding allocations to ensure the needs of sexual assault victims are being met through the state's criminal justice system and victim service providers. As a steward of federal funds, CJD will continue to make internal funding decisions and employ sound management practices that will ensure all federal mandates are achieved.

Grant-making Strategy

Due to the size and diversity of Texas, it is imperative that collaborative planning efforts be made at the state and local level. Through interlocal agreements with the 24 regional COGs, CJD is able to maximize the input and expertise of professionals in the field of domestic violence, sexual assault, and stalking. The yearly contracts executed with the COGs serve as a tool to promote intergovernmental collaboration. The priorities developed at the local and state level guide STOP VAWA subgrantee applicants to focus on submitting projects that address the issues paramount to reducing crimes of violence against women.

The statewide priorities determined in this Implementation Plan are communicated to COGs and future applicants via the request for applications (RFA) posted each year and during annual COG trainings. Local agencies remain informed of statewide priorities through grant application and management trainings performed by their regional COG. Additionally, this plan will be posted as a resource on the CJD website whose web address can be found in the References section at the end of this document.

CJD applies a funding formula to each regional COG in order to equitably distribute awarded STOP VAWA funds across the state. This formula is designed to determine the maximum amount of funding available to future applicants in their respective COG by comparing the population and crime statistics for sexual assault and domestic violence in each region. CJD makes every effort to ensure that proportionate funding is available to all rural and urban communities in need. The formula allows CJD to strategically place resources across the state and ensures that projects in each region are funded if there are applicants.

The grant-making process begins through the release of an RFA, at which point future STOP VAWA subgrantees are able to submit project applications that are ranked and scored by their regional COGs during Criminal Justice Advisory Committee (CJAC) meetings. CJAC committees consist of local stakeholders across a variety of disciplines that score projects based on several criteria including their ability to meet statewide priorities, eligibility, reasonableness, and cost-effectiveness. The CJAC also ensures that subgrantees have developed their projects in collaboration with local victim service providers in order to ascertain that proposed activities are designed to promote the safety, confidentiality, and economic independence of victims. Once projects have been scored, CJD determines funding allocations for each COG and strongly considers the CJAC's recommendations when making final funding decisions for projects.

Barring any delays in receiving the STOP VAWA award allocation, projects are funded in sync with the state's fiscal year which runs September 1 to August 31. VAWA-funded projects operate on a single-year basis in order to ensure grant equality and that diverse, merit-based programs are funded across the state every year.

Addressing the Needs of Underserved Victims

CJD recognizes that victims may be underserved because of geographic location, racial and ethnic backgrounds, special needs, sexual orientation, gender identity, religion, and any other cause determined by the state planning process. The needs of underserved victims are identified in the statewide planning process, COG strategic planning, and certification provided by agencies during the application process.

Each COG identifies populations that are underserved in their region during the strategic planning process. Community stakeholders familiar with their area's demographics are able to identify the specific needs of underserved individuals and develop efforts to ensure services are delivered to underserved populations. Additionally, the state has made providing culturally-competent services to marginalized or underserved populations a focus for COGs and grantees to consider when regarding the statewide priorities.

Every project that applies for STOP VAWA funding also certifies that the agency will promote culturally-competent collaboration among local service systems that involve multiple disciplines and support a seamless delivery of services that focus on individuals return to physical, mental, and emotional health. Preference is given to applicants that promote comprehensive victim services while incorporating an emphasis on cultural competency.

By federal mandate, 10% of the state's victim service award allocation is used to fund culturally-specific community based organizations. VAWA subgrantees are informed of the requirements to be considered a culturally-specific organization through the RFA and, if eligible, self-identify as such on their project's application. During the ranking process at the COGs, culturally-specific projects that address statewide priorities are given explicit scoring preferences to ensure services are available to underserved communities across Texas. CJD performs an additional eligibility review of culturally specific projects and makes final funding decisions that are compliant with federal guidelines. In 2013, Texas provided funding to the following culturally-specific organizations and projects:

1. Center Against Family Violence – Crime Victim Assistance for Domestic Violence and Sexual Assault
2. Casa de Misericordia – Domestic Violence Shelter and Counseling Project
3. Southwest Family Life Centers, Inc. – Family Violence
4. American Gateways – Program Representing Immigrant Survivors of Abuse (PRISA)

As the SAA for VOCA funds, CJD closely coordinates VAWA and VOCA funding streams to ensure that culturally-specific programs have ample access to federal award money across the state. While not funded through VAWA, the following VOCA organizations and programs are

examples of CJD's ongoing commitment to fund projects that are tailored to the unique needs of underserved communities across the state:

1. SAHELI for Asian Families – Asian Domestic Violence Advocacy Services Project
2. Mosaic Family Services Inc. – Services for Victims of Human Trafficking
3. The Montrose Center – Shelter Support Services

Through various federal awards, CJD funds a multitude of culturally-specific projects that far exceed federal mandates to ensure the continued existence and vitality of projects aimed at providing services to under-represented, marginalized, and/or underserved communities. CJD will continue to use the funding formula to ensure monies set aside to fund culturally specific services and activities for underserved populations are distributed equitably among those populations.

V. Conclusion

This Implementation Plan is designed to communicate the statewide priorities aimed at reducing crimes of violence against women across Texas while providing information to interested parties and stakeholders on CJD's STOP VAWA grant-funding process and objectives. The goals provided in the 2014-2016 plan reflect the updated and refined efforts of previous years in an effort to design objectives tailored towards the shifting landscape of Texas's current cultural and social environment while incorporating changes of the VAWA Reauthorization Act of 2013. This Implementation Plan utilized the information, data, and expertise of individuals, agencies, and organizations concerned with reduced violence against women in the State of Texas when developing priorities and objectives.

CJD will continue to prudently allocate STOP VAWA funds to programs that make significant, meaningful impacts on reducing violence against women in the State of Texas.

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APPENDIX 1 – VAWA PLANNING COMMITTEE MEMBERS

Alabama-Coushatta Tribe of Texas

Nita Battise
Vice-Chairperson

Antonio Ford
Chief of Police

Alamo Area Council of Governments

Jennifer Forbes
Contract Consultant

American Gateways

Elizabeth Hartman*
Executive Director

Austin Police Department

Kachina Clark
Victim Services Manager

Department of Public Safety

Melissa Atwood
Victim Services Director

El Paso County Protective Order Court

The Honorable Yahara Gutierrez
Judge

The Honorable Michele Locke
Judge

El Paso District Attorney's Office

Patricia Baca
Domestic Violence Unit Chief

Health and Human Services Commission

Denise Walch
Family Violence Program Manager

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Rebecca Malcolm
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Texas District and County Attorneys Association

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*denotes non-profit, non-governmental victim service providers