

# RECOVERY ACT - S.T.O.P. VIOLENCE AGAINST WOMEN ACT

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PROGRAM IMPLEMENTATION PLAN FOR  
THE STATE OF TEXAS



OFFICE OF THE GOVERNOR  
CRIMINAL JUSTICE DIVISION  
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## INTRODUCTION

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The Office of the Governor, Criminal Justice Division (CJD) is Texas' administering agency for the Office on Violence Women (OVW) Recovery Act STOP Violence Against Women Formula Grant Program (VAWA-Recovery Act). CJD significantly contributes to the safety of women in Texas through the deliberate deployment of strategy, direction and funding. These Recovery Act funds present a unique opportunity to strengthen the foundation of victim services and the criminal justice system in Texas by equipping agencies and communities with the resources required to restore victims and ensure justice. This implementation plan outlines how CJD will strategically allocate VAWA-Recovery Act funds throughout Texas.

Since 2001, the rates of sexual assault and family violence incidents in Texas have decreased. However, the population of Texas continues to steadily increase and diversify each year. CJD is committed to continuing the downward trend of sexual assault and family violence incidents as the demographics of Texas change. This implementation plan carefully considers population trends, the occurrence of crime, and coordinated efforts of victim service providers to develop a grant making strategy for VAWA-Recovery Act fund allocation in the State of Texas.

The focus of CJD's grant making strategy for VAWA-Recovery Act funding is to assist victims of violence against women in achieving restoration of physical, mental and emotional health to the fullest extent possible. To achieve restoration, local service systems must involve multiple disciplines to coordinate the seamless delivery of services. As part of this strategy, CJD and victim services stakeholders developed the following priorities for VAWA-Recovery Act funding based on identified service gaps in victim restoration:

- ★ Promote training to criminal justice and victim service professionals that improves those systems for victims of violence against women;
- ★ Improve the criminal justice system's response to female victims of sexual assault, domestic violence, stalking and acquaintance/dating violence;
- ★ Strengthen victim restoration services and processes; and
- ★ Increase collaboration and communication across all levels of government and among all victim service systems.

By addressing the above priorities, CJD will strategically direct resources to law enforcement, prosecution, courts, and victim services that demonstrate proven practices and are committed to making Texas a safer place for women.

Recovery Act funding will be distributed by CJD according to the guiding principles of fiscal responsibility, accountability, and transparency. Responsibility will be ensured through the evaluation of program design and the communication of clear expectations. Accountability will be substantiated through monitoring, technical assistance, and the assessment of outcomes. And, transparency will be achieved through data and information sharing efforts with state and federal partners. The state will target Recovery Act funding where it will have the greatest impact without an expectation of long-term support.

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## DESCRIPTION OF PLANNING PROCESS

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CJD takes a comprehensive approach in its planning process in order to strengthen programs that restore the health of victims of violence against women. To help restore these victims, CJD targets funding to develop and strengthen effective law enforcement and prosecution strategies that address both violent crimes against women as well as victim services that assist women affected by violent crime. In order to positively affect and enhance each of these facets of victim restoration, CJD engaged in a planning process that incorporated information from state agencies and victim services stakeholders.

### **Multidisciplinary Planning Meeting**

In August 2009, CJD convened a multidisciplinary planning meeting to discuss issues involving violence against women. Representatives<sup>1</sup> from state agencies, non-governmental organizations and non-profit organizations participated in a roundtable discussion regarding how to improve victim services for women in Texas.

CJD gathered and evaluated quantitative and qualitative data from a variety of state government agencies during the planning process. The analyzed information helped CJD and the VAWA Planning Committee create goals and priorities for VAWA-Recovery Act funding.

The data reviewed at the statewide multidisciplinary planning meeting included:

- ★ Statistical analysis of Texas' crime trends;
- ★ Population estimates;
- ★ Unemployment rates; and
- ★ Poverty levels.

Participants identified possible areas within victim services, law enforcement, prosecution, and courts that could be strengthened with VAWA-Recovery Act funding. The top priorities for each discipline have been incorporated into this Implementation Plan to guide future funding decisions.

### **Statistical Analysis**

CJD gathered and analyzed Texas demographic and crime statistics for calendar year 2007 in developing the strategy for VAWA-Recovery Act programming. The types of crime that were analyzed consisted of sexual assault and family violence. The types of demographic data that were analyzed included urban and rural population data, poverty levels, and unemployment rates.

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<sup>1</sup> See Attachment 1 for a list of the VAWA-Recovery Act Planning Committee Members.

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## PLAN PRIORITIES AND APPROACHES

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### Identified Goals and Priority Areas

Based on the findings of the quantitative and qualitative data described in the planning process, CJD formulated the following four goals with corresponding priorities to improve services for female victims of violence.

- 1. Promote training to criminal justice and victim service professionals that improve those systems' response to victims of violence against women.**
  - a. Train law enforcement, first responder dispatch operators, and court personnel on the dynamics of sexual assault, domestic violence, stalking, and acquaintance/dating violence, especially in rural areas.
  - b. Encourage and train on-site victim advocates within law enforcement and prosecution agencies.
  - c. Train service providers and first responders on how to build their capacity to assure they are adequately prepared to provide quality services to victims.
  - d. Develop stronger training programs and materials for courts, prosecutors, law enforcement, and victim service providers to strengthen community response and collaboration.
  - e. Provide training to Apartment Associations and others on Texas' new Lease Termination statute (SB 83) for victims of sexual assault<sup>2</sup>.
  - f. Promote training for law enforcement, selected medical personnel, and rape crisis advocates on non-reporting forensic exams.
  
- 2. Improve the criminal justice system's response to adult female victims of sexual assault, domestic violence, stalking and acquaintance/dating violence.**
  - a. Support innovative programs such as the rollout of a new court bench book, development of prosecutor training guides, as well as specialized courts, prosecution units, and law enforcement units.
  - b. Accommodate victims who have limited English proficiency through contracts for services and by supporting training and certification expenses for translators.
  - c. Provide for technology and equipment upgrades.

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<sup>2</sup> Senate Bill 83 effective January 1, 2010, amends Property Code Section 92.016 and provides victims the ability to terminate a lease agreement before the end date without penalties and fees if certain documentation is met.

**3. Strengthen victim restoration services and processes.**

- a. Provide core services to victims, giving priority to those that focus on reducing the economic burden of victims. Examples include connecting victims with local food banks, arranging for long-term housing and transportation services, improving the job prospects for victims by arranging for skills building training, and providing child care services while victims participate in the criminal justice process or receive assistance.
- b. Review current standards and prepare recommendations for best practices.
- c. Accommodate victims who have limited English proficiency (LEP) and promote model pathways to safety and victim restoration for victims with LEP through contracts for services and by supporting training and certification expenses for translators/interpreters.
- d. Strengthen victim services data collection systems including upgrades.

**4. Increase collaboration and communication across all levels of government and among all victim service systems.**

- a. Retain and further develop skills of existing crime victim coordinators, liaisons, and direct victim services staff to continue strong victim service programs across communities.
- b. Support initiatives to increase long-term communication between law enforcement and survivors.
- c. Support family violence and sexual assault research projects that focus not only on gaps in existing victim service systems or identifying unreported victims, but that also provide an evaluation of the state's system of addressing domestic violence and sexual assault in Texas.
- d. Promote local level multi-disciplinary teams to coordinate services within communities and to perform community assessments that evaluate how well communities are working together toward victim restoration.

CJD will fund programs that support the above priorities which help achieve long-term victim restoration. A critical component of victim restoration is for communities to be sensitive to the care and safety of individuals who have been victimized, while holding offenders accountable for their crimes. As part of this restoration, victim assistance providers must continue to build lasting partnerships between the criminal justice system and victim advocacy organizations. In addition, victim assistance providers are encouraged to look beyond traditional resources to new partners, such as faith-based and community organizations to expand the affect and scope of assistance provided.

Communities and victim assistance providers are guided by CJD to consider the following concepts when developing assistance networks:

- ★ Identify current methods of operation within the community;
- ★ Recognize strengths and focus on eliminating gaps<sup>3</sup> within the delivery of victim services;
- ★ Identify key components of current victim assistance procedures; and
- ★ Encourage communication between victim assistance agencies across disciplines.

### **Grant-making Strategy & Implementation**

Since Texas is a large and diverse state, CJD contracts with the state's 24 Regional Councils of Governments<sup>4</sup> (COGs) to facilitate local planning and communication. The COGs provide criminal justice planning assistance and serve as a mechanism for communicating state priorities to local communities and local priorities to the state.

In collaboration with local communities, which include a wide range of entities such as public agencies, nonprofit organizations, faith-based organizations, and concerned citizens, COGs facilitate the development of community plans. This planning process allows communities to convey local priorities to CJD via the COGs.

Local planning groups must consider the community's relevant statistics and available resources, and focus on eliminating any gaps within their assistance area. This process ensures representation from each discipline and demographic and allows communities to establish priorities that address violent crimes against women, including those victims who may traditionally be underserved.

CJD conveys its goals and priorities to regional COGs and local service providers through the request for application (RFA) solicitations and during the annual COG training. In turn, the COGs communicate these priorities to their local victim service providers.

Once CJD releases the RFAs and all applications are received by CJD, the eligible applications are forwarded to the COGs for review. It is the responsibility of each COG to review each application and convene a Criminal Justice Advisory Committee (CJAC) meeting in order to score, rank and prioritize the applications. The CJACs assign priorities to applications based on the quality of the program, the priorities of the state, and the priorities of their local communities. It is clearly written in CJD's RFA that COGs must consider state priorities before those of the local community. The COGs then rank their local programs based on the written application and any other additional written or verbal information provided by the applicant to the CJAC. Upon completion of the regional priority listing, the COG's governing body approves the submission of the regional priority listing to CJD. CJD takes into consideration these rankings when deciding which programs will receive funding.

CJD distributes funding based on a formula that considers the population and incidence of family violence and sexual assault within each COG. This formula determines the maximum amount of funding that is available for each COG. To apply this formula, CJD considers the population of each COG in proportion to the total state's total population, as well as statewide reports of family

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<sup>3</sup> Gaps may include but are not limited to a shortage of beds, limited training opportunities for first responders, limited translation services, or inadequate accessibility for disabled victims or underserved populations.

<sup>4</sup> See Attachment 2 for a complete list and map of Texas' 24 Regional Councils of Governments.

violence incidents and sexual assault arrests. These factors are the most reliable indicators of violence against women in each region, and help ensure equitable distribution of VAWA-Recovery Act funds. In order to maximize funding to rural communities, CJD will give a base allocation to rural COGs. COGs are considered rural if they have a population density of less than 52 people per square mile. In addition, COGs that have poverty or unemployment rates higher than the state's rates will also receive a base allocation. The remaining balance will be distributed to all COGs through a crime and population funding formula.

Once CJD determines the amount of funding each COG will receive, funding decisions are made based on available funding, COG priority rank, and federal distribution requirements. The VAWA-Recovery Act federal distribution requires that:

- ★ At least 5% will be allocated for state and local courts including juvenile courts;
- ★ At least 25% will be allocated for law enforcement;
- ★ At least 25% will be allocated for prosecution;
- ★ At least 30% will be allocated for nonprofit, nongovernmental victim services, of which at least 10% is to be distributed to culturally specific community-based organizations; and
- ★ The remaining 15% will be used for discretionary purposes including any necessary administrative costs.

Strong applicants will provide culturally competent and comprehensive assistance to victims of violent crimes against women. The types of local programs prioritized for funding vary by COG. However, CJD will support programs that provide appropriate and allowable services based on regional factors, address priorities identified by COGs through their community-based criminal justice planning processes, and align with the state's strategic approach and identified priorities.

### **Addressing the Needs of Underserved Victims**

CJD recognizes victims may be considered underserved because of geographic location (such as rural isolation), racial and ethnic affiliation, special needs (such as language barriers, disabilities, or age), and any other reason determined by the state planning process. CJD addresses the needs of underserved victims in the following ways: COG local planning groups, certification by victim service programs that they promote cultural competency, and the statewide planning group.

As noted earlier, CJD contracts with the 24 regional COGs in order to coordinate strategies within each region and to effectively communicate local priorities to the state. Each COG invites and encourages local community members to participate in their region's planning efforts. These community planning groups focus on identifying and eliminating any gaps in assistance in their area as they determine priorities for their region. These priorities may include the need for additional translation services, better accessibility for disabled victims or other historically underserved populations, and any other gap in assistance identified during the planning process.

Because of the diversity and size of Texas, it is important that comprehensive culturally competent assistance is provided to all victims without making a distinction based on race, ethnicity, sexual orientation, age, disability, or other attribute. In order to be considered eligible for VAWA-Recovery Act funding, programs must certify that they agree to promote culturally competent collaboration among local assistance systems regardless of race, ethnicity, sexual orientation, or age. In addition, CJD asks each VAWA-Recovery Act applicant to explain how their program is culturally competent and how it addresses the needs of underserved populations. CJD takes this information into consideration when deciding which programs to fund.

## **Monitoring and Evaluation**

CJD monitors both the performance and financial aspects of funded grants to ensure that grant funds are used for authorized purposes in compliance with all applicable statutes, rules, regulations, guidelines, and the provisions of grant agreements. Grants are also monitored in order to track and assure the achievement of stated grant purposes.

CJD contracts with the Public Policy Research Institute (PPRI) at Texas A&M University to maintain a web-based data collection system for program performance data. This system allows for the retrieval and analysis of programmatic data. In addition to the federally required STOP data that is collected and reported annually, PPRI also collects standardized measures across all victim services funding streams administered by CJD so that the impact of these programs can be measured as a group.

CJD grant managers are responsible for reviewing and approving grantee Financial Status Reports (FSRs) which grantees are required to submit monthly for reimbursement of grant expenditures. Each FSR provides detailed information on grantee spending patterns, as well as hours worked and vendor information for the federal 1512 Report requirements. When an FSR submission contains cumulative expenditures that exceed cumulative disbursements to date, a payment is generated for that grant.

In addition, CJD houses a Grants Monitoring section consisting of monitors who perform on-site reviews, desk reviews, and provide technical assistance. A yearly risk assessment is performed on funded agencies that considers factors such as: 1) the amount of funding, 2) number of grants awarded, and 3) last time monitored. Based on the outcome of the risk assessment, an annual "Monitoring Plan" is developed. Reviews of high, medium, and low risk grants are scheduled. Unscheduled reviews are also conducted as time and monitors' itineraries permit, or if circumstances demand immediate monitoring attention. Audit programs are used by the monitors and are based on federal and state governing directives. The audit programs cover grant budget items, general grant administration, and fund-specific criteria. The Director of Grants Monitoring works closely with grant management staff and assigns, plans, and reviews the monitoring work.

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## CONCLUSION

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To increase the safety of females in Texas, CJD took the following steps to expand its strategy for distribution of VAWA-Recovery Act funds:

Convened a multidisciplinary planning meeting that brought together an array of stakeholders in victim services;

Contracted with regional COGs to identify local priorities throughout the state; and

Analyzed statistical data regarding Texas demography and crime rates.

CJD's grant strategy focuses on assisting female victims of violence in achieving restoration of physical, mental and emotional health to the fullest extent possible. After considering the data and information garnered from the above sources, CJD formulated the following goals that align with its overarching grant-making strategy:

- ★ Promote training to criminal justice and victim service professionals;
- ★ Improve the criminal justice system's response to victims of violence against women;
- ★ Strengthen victim restoration services and processes; and
- ★ Increase collaboration and communication.

CJD will take immediate action to implement priorities that will help the State of Texas achieve these goals. Some of these priorities include funding programs that provide a comprehensive strategic approach to victim restoration, providing more core services for victims that focus on reducing the economic burden faced by those victims, expanding available translation services for victims with limited English proficiency, and training more criminal justice professionals on the dynamics of sexual assault, domestic violence, stalking and acquaintance/dating violence. By taking these steps, CJD continues its commitment to the safety of women in Texas.

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**ATTACHMENT 1 – VAWA-RECOVERY ACT PLANNING COMMITTEE MEMBERS**

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**Criminal Justice Planners Association**

Marisa Quintanilla – President

**Office of the Attorney General**

Dr. Jennie Barr – Director for Sexual Assault Prevention and Services Program

**Office of the Attorney General, Crime Victim Services Division**

Suzanne McDaniel – Victim Services Director

**People Against Violent Crime**

Verna Lee Carr – Executive Director

**Sheriff's Association of Texas**

Steve Westbrook – Executive Director

**Texas Association Against Sexual Assault (TAASA)**

Annette Burrhus-Clay – Executive Director

**Texas Council on Family Violence (TCFV)**

Gloria Terry – President

**Texas Department of Health and Human Services**

Chan McDermott – Family Violence Program

**Texas District and County Attorney's Association**

Rob Kepple – Executive Director

**Texas Municipal Police Association**

Jeff Olbrich – Director of Development

Jennifer Gonzales

**Texas Office of Court Administration (OCA)**

Mary Cowherd – Deputy Director

Leslie Friedlander

**University of Texas at Austin – School of Social Work**

**Institute on Domestic Violence and Sexual Assault**

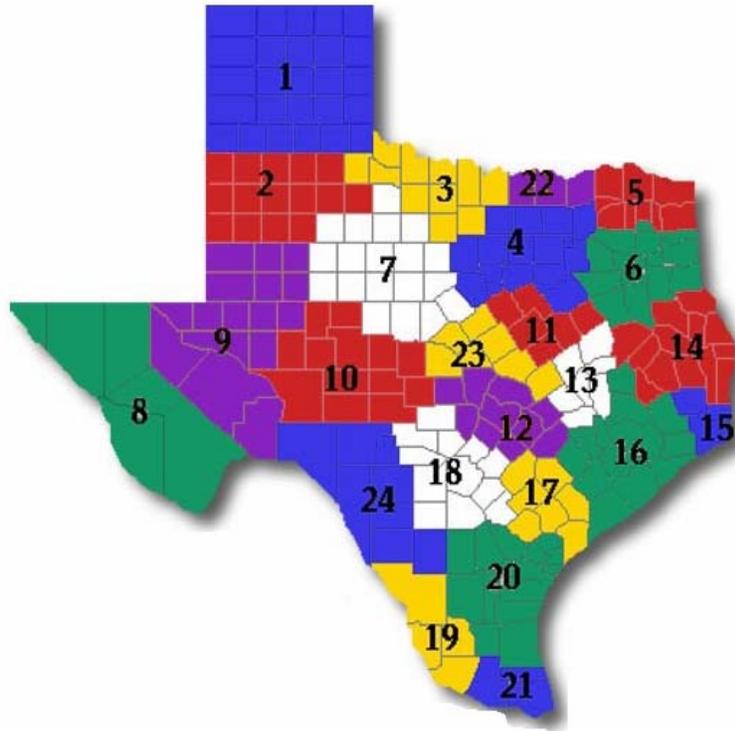
Dr. Noel Busch-Armendariz

Karen Kalergis

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ATTACHMENT 2 – TEXAS’ 24 REGIONAL AREA COUNCILS OF GOVERNMENTS

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|---|---|
| 1. Panhandle Regional Planning Commission     | 13. Brazos Valley Council of Governments          |
| 2. South Plains Association of Governments    | 14. Deep East Texas Council of Governments        |
| 3. Nortex Regional Planning Commission        | 15. South East Texas Regional Planning Commission |
| 4. North Central Texas Council of Governments | 16. Houston-Galveston Area Council                |
| 5. Ark-Tex Council of Governments             | 17. Golden Crescent Regional Planning Commission  |
| 6. East Texas Council of Governments          | 18. Alamo Area Council of Governments             |
| 7. West Central Texas Council of Governments  | 19. South Texas Development Council               |
| 8. Rio Grande Council of Governments          | 20. Coastal Bend Council of Governments           |
| 9. Permian Basin Regional Planning Commission | 21. Lower Rio Grande Valley Development Council   |
| 10. Concho Valley Council of Governments      | 22. Texoma Council of Governments                 |
| 11. Heart of Texas Council of Governments     | 23. Central Texas Council of Governments          |
| 12. Capital Area Council of Governments       | 24. Middle Rio Grande Development Council         |