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**AGENDA ITEM
REQUEST/JUSTIFICATION FORM**
(To be completed by requesting Department)
Forward all requests to Sharon Bourke, LC2 Civic Center
**DEADLINE SUBMITTAL IS 3:00 P.M. WEDNESDAY
BEFORE THE TUESDAY MEETING**

Agenda item: Consent
(i.e. Consent/Recognition-Proclamation/Presentation/Public Hearing/Committee, etc.)

Date to be on agenda: January 12, 2016

Exact wording to be used for the agenda: Resolution accepting 2015 VOCA
grant award 15-VA-0247

Action requested: Approval

Amount requested: _____ Object Code: _____

Is item in current year's budget? Yes _____ No _____

Does this item commit funds in future years? Yes _____ No X

If yes, explain: _____

If an agreement or contract, has the County Attorney reviewed and approved? Yes ___ No ___

Previous action taken on this item, if any: N/A

Recommendations and rationale or action: _____

Will anyone speak on behalf of this item, if so who? No

If this is a rush agenda item, please explain why: _____

Submitted by (Name & Dept.): Rhonda Rolles, County Attorney Ext. 4970

Date submitted: 1-5-16

List Attachments: 1) Proposed Resolution; 2) (2)Award Acceptance Form; 3) (2)Subgrant
Special Conditions; 4) Grant/Gift Committee Review Request Form

(Attach resolution and all pertinent documentation; i.e. contract, agreement, memorandums, etc.)

Certified resolutions can be obtained at the County Clerk's website:
<http://www.douglascountyclerk.org/county-board-records/search-for-resolutions>

Completed by receiving office	Received in Administrative Office:	Date <u>1/5/16</u>	Time
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**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**

Resolved

WHEREAS, the Douglas County Attorney Office submitted an application to the Nebraska Crime Commission for Victims of Crime Act (VOCA) grant funds for the Omaha/Douglas Victim Assistance Unit; and

WHEREAS, the Douglas County Attorney's Office was awarded VOCA grant funds in the amount of four hundred ninety seven thousand two hundred and sixty one dollars (\$497,261) for the Omaha-Douglas County Victim Assistance Unit; and

WHEREAS, said funds will be used by said Victim Assistance Unit to serve and coordinate services to crime victims throughout Douglas County; and

WHEREAS, said funds will further be used to provide crime victim assistance training to staff and volunteers of said Victim Assistance Unit; and

WHEREAS, the Douglas County Grant Gift Review Committee has reviewed said grant award and recommends acceptance of said grant; and

WHEREAS, this Board desires to accept said VOCA grant award from the Nebraska Crime Commission to said Douglas County Attorney's Office.

NOW THEREFORE BE IT RESOLVED BY THIS BOARD OF DOUGLAS COUNTY COMMISSIONERS that the Nebraska Crime Commission grant award for the Douglas County Attorney Omaha/Douglas Victim Assistance Unit is hereby accepted and the Chair of this Board is hereby authorized to sign the necessary documents to execute the acceptance of said VOCA grant award.

Dated this 12th day of January, 2016.

**GRANT / GIFT COMMITTEE
REVIEW REQUEST FORM**

I. AGENCY INFORMATION: (To who will the Application be sent?)

- A. Name of Agency: Nebraska Crime Commission
- B. Address: P.O. Box 94946
- C. City/State/Zip: Lincoln, NE 68509-4946
- D. Contact Person: Merry Wills Phone: (402)471-3416
- E. Amount Requested: \$497,261
- F. Submission Deadline: January 16, 2016

II. FINANCIAL INFORMATION:

- A. Total Budget: \$ 621,576
 - 1. Personal Services: \$423,788
 - 1a. Fringe Benefits: \$134,500
 - 2. Non-Personal Services: \$55,303
 - 3. Furniture, Equipment: \$4,000
- B. Is there Matching Requirement? Yes (X) No ()
If "yes," is it:
 - 1. Cash? Yes (X) No ()
 - 2. In Kind? (\$) Volunteer Hrs. Yes (X) No ()
 - 3. Percent of Match: Fed 80% County and City 20%
 - 4. Dollars match: Fed \$497,261 County and City \$124,315
- C. What is the Period of the Request? From: Oct. 1, 2015 To: Sep. 30, 2016
- D. Is the Grant/Gift Renewable? Yes (X) No ()
- E. Is there money in your budget for the entire grant award? Yes (X) No ()
If "yes," what organization and object code?
Organization 560021 Object Code 53111payroll
Object Code _____
Object Code _____
- F. Can service/product covered by grant be discontinued/cancelled if grant is not renewed? Yes

Please provide a cost benefit analysis of what these grant dollars will provide: Funds to serve and coordinate services to crime victims throughout Douglas County and to provide training for staff and volunteers.

III. PERSONNEL:

A. Will anyone be hired if Application is approved? Yes (X) No (X)

If "yes," answer the following:

1. How Many? (Total): 2 FTE and 1 PT

List Job Title: Assist Director, Advocate and part-time advocate

If part time or temporary position, list number of hours to worked each week by position: 20

B. Is this a regular county position? No

1. Can position be eliminated if grant is not continued? Yes

Who will write Job Description? County Attorney

C. Who will Interview Applicants? County Attorney

IV. LIABILITIES:

What Reports does the Funding Agent require? Frequency?

Quarterly Grant Activity Summary and Quarterly Cash Report/Request

What Assurances does the County have to make?

To provide services to crime victims in Douglas County.

V. PROGRAM OBJECTIVES:

In 25 words or less, describe what is to be accomplished by this Application that cannot be accomplished through the normal program and budgetary process.
The requested funds will be used to continue the Omaha-Douglas County Victim Assistance Unit's project to serve as advocates for court support and referrals to community agencies help coordinate services to crime victims throughout Douglas County and to provide training for staff and volunteers.

(Please attach Executive Summary for Grant/Gift Application if one is required.)

VI. APPROVALS:

A. Division Head Approval: _____
(Date)

B. Department Head Approval: _____
(Date)

C. Grant/Gift Committee Review: Joseph Loley 1/5/16
(Date)

VOTE: 3-0 in favor

DATE: 1/5/16

**Nebraska Commission
on Law Enforcement
and Criminal Justice**

**Federal Grant
Award**

Subgrantee: Douglas County Atty. 15-VA-0247	Federal Grant Number: 2015-VA-GX-0010 Department: Department of Justice Federal Program OVC FY15 VOCA Victim Assistance Formula	Date of Award 10/16/2015	CFDA # 16.575
Project Title: Omaha-Douglas Co Victim Asst.		Grant Amount Federal \$497,261 Match \$124,315 Total \$621,576	

Approved Budget for Project

CATEGORY	FEDERAL SHARE	MATCH SHARE	TOTAL PROJECT COST
Personnel	\$437,958.00	\$120,330.00	\$558,288.00
Consultants/Contracts			
Travel			
Supplies/Operating/Expenses	55,303.00	3,985.00	59,288.00
Equipment	4,000.00		4,000.00
Other			
Total Amount	\$497,261.00	\$124,315.00	\$621,576.00
% Contribution	80%	20%	100%

This award is subject to the General and Fiscal Conditions established by the Nebraska Commission on Law Enforcement and Criminal Justice and to the special conditions enclosed with this award as indicated below.

The grant period will be from 10/01/15 to 09/30/2016 except as authorized by the Commission. To be a valid grant, this Grant Award must be signed and returned to the Commission within 30 days of receipt.

The subgrantee hereby attests and affirms that the required cash match will be designated, appropriated, and expended for the project within the duration of the Grant period.


Signature of Executive Director or Representative

Darrell Fisher, Executive Director

Typed Name and Title

Date

10 Nov. 2015

Signature of Authorized Official
(Mayor, County Board Chairman, Chair of non-profit Board etc.)

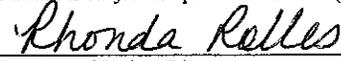
Mary Ann Borgeson, Chair, Douglas County Board

Typed Name and Title

Date



This award is subject to special conditions (enclosed).

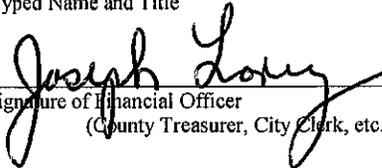

Signature of Project Director

Rhonda Rolles, Director

Typed Name and Title

Date

1-5-16


Signature of Financial Officer
(County Treasurer, City Clerk, etc.)

Joseph Lorenz, Financial Director

Typed Name and Title

Date

1/5/16

Subgrant Special Conditions – Program

Distribution:

*Original to Commission
One copy to
Subgrantee*

Subgrantee: Douglas County Atty.	Subgrant Number: 15-VA-0247
CFDA 16.575 Nebraska's VOCA Victim Assistance Formula Grant Program 2015-VA-GX-0010 Dept. of Justice, Office for Victims of Crime	Subgrant Title: Omaha-Douglas Co Victim Asst.

This contract is subject to the standard conditions outlined in the applicable solicitation, grant application and the signed Certified Assurances. In addition, the subrecipient must comply with Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) Guidelines and the following special conditions:

1. The subrecipient must comply with the financial and administrative requirements set forth in the 2015 Department of Justice (DOJ) Financial Guide. The financial Guide supersedes the following OMB requirements; OMB Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133 and sections of OMB Circular A-50. The DOJ Financial Guide can be accessed through the following link:
http://ojp.gov/financialguide/DOJ/pdfs/2015_DOJ_FinancialGuide.pdf

2. Audits: All audits will comply with the Single Audit Act of 1984, as amended. Audits for private non-profit agencies shall comply with the DOJ Financial Guide:

Agencies and organizations receiving federal funds from various sources totaling \$750,000 or more during their Fiscal Year are required to have an annual audit. Total cost of the audit must be prorated among funding sources. Agencies and organizations receiving federal funds from various sources totaling less than \$750,000 during their Fiscal Year are not required to have an annual audit. However, a complete agency audit complying with the Single Audit Act of 1984, as amended, is highly recommended once every three years for private non-profit agencies receiving funding from the Crime Commission.

ONE Copy of the audit that includes a **Letter of Findings** is **required** to be submitted to the Crime Commission, if they are not part of the audit.

Authorized representatives of the Crime Commission and the federal agencies associated with the federal funding source shall have access to and the right to examine all records, books, papers or documents related to this grant for the purpose of audit and examinations. All records shall be retained for five (5) years from the date of the final fiscal report unless an audit is in progress or the findings of a completed audit have not been resolved satisfactorily.

3. Acceptance of Grant Award and Special Conditions

- a. **Grant Award** must be accepted; signed by the subrecipient's authorized official, the director of the project and the fiscal officer; and, returned to the Crime Commission within thirty (30) days from the date the Grant Award is mailed to the subgrantee.
- b. **Special Conditions** must be accepted, signed by the subrecipient's authorized official, director of the project, and the fiscal officer, and returned to the Crime Commission within thirty (30) days from the date the Special Conditions are mailed to the subrecipient.
- c. Subrecipient 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 OJP). The subrecipient must maintain a Data Universal Numbering System (DUNS) number.

_____ initials of Authorized Official

- d. Subrecipients receiving payments from the Crime Commission are required to receive payments via the Automated Clearing House (ACH) payment. New subrecipients must complete paperwork to sign up for ACH payment and can find the form at http://das.nebraska.gov/accounting/forms_new.html

4. Accounting Procedures:

- a. Subrecipients must adhere to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted by the DOJ and supplemented in 2 C.F.R. Part 2800. See: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl for further information regarding the standards of these requirements.
- b. Subrecipient shall implement and maintain an accounting system which accurately reflects income received expenditures, and documentation of expenditures. Each source of income must be accounted for separately and a clear audit trail for each source of funding must be maintained.
- c. Any award with matching funds, both cash or in-kind, must document match in the agency's accounting system. Match need not be applied at the exact time or in the required proportion to the obligation of Federal funds. However, the full matching share must be obligated by the end of the project period.
- d. A private non-profit agency awarded funds shall have two (2) members of the Board of Directors review, on a quarterly basis, all expenditures for the agency. This review shall include, but is not limited to, checks written for the period, deposits, assurance of a balanced checkbook, review of the entries in the agency's ledgers and review of the income received from funding agencies and donations.
- e. If at any time an impropriety is found in the accounting or use of any funds received by the subrecipient, the Crime Commission must be notified immediately and informed about how the agency will address the problem.
- f. Subrecipients will maintain time records that comply with the DOJ Financial Guide to clearly document the hourly activity of each grant funded or match funded position to show the actual percentage of time charged to the funding source. Records will be maintained by the subrecipient to document any differences between budgeted and actual federal and match personnel grant costs. Timesheets for grant funded positions should include the signature of the employee and their supervisor. Volunteer positions used as match are to be documented and, to the extent feasible, supported by the same methods used for employees. Please refer to the following website for further details on the guidelines on accounting for personnel and other cost principles:
http://ojp.gov/financialguide/DOJ/pdfs/2015_DOJ_FinancialGuide.pdf
- g. Office of Justice Program Financial Guidelines and Federal and/or State guidelines must be followed for the purchase of equipment and or services and for the property management or disposal of equipment purchased with Federal funds. Property records for equipment purchased must be maintained which include a description, serial number, source, title holder, acquisition date, cost, percentage of federal dollars funded, location, and use and condition of the equipment. Subrecipients must adhere to written procurement procedures. If the agency does not have these they should defer to the State's procurement guidelines located at:
http://das.nebraska.gov/materiel/purchase_bureau/docs/manuals/AgencyProcurementManualForServices.pdf
- h. Subrecipients agrees that all income generated as a direct result of this award shall be deemed program income. All program income earned must be accounted for and used for the purposes of funds provided under this award, including such use being consistent with the conditions of the award, the effective edition of the OJP Financial Guide and, as applicable, either (1) 28 C.F.R. Part 66 or (2) 28 C.F.R. Part 70 and 2 C.F.R. Part 215 (OMB Circular A-110).
<https://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a110/2cfr215-0.pdf>

_____ initials of Authorized Official

5. Reporting Requirements:

- a. **Grant Activity Summary Reports** are required **quarterly**. Reports are due by the last working day of the month for each quarter during the grant period.
- b. **Cash Report/Cash Requests** are required **quarterly**. Reports are due by the last working day of the month following the end of each quarter. Grant payments are on a reimbursement basis. Reimbursement cannot be made until financial documentation from the subrecipient has been approved by the Crime Commission. The final Cash Report reflecting the total grant expenditures and amount reimbursed is due no later than 45 days from the end of the grant period.
- c. To assure that expenditures are proper and in accordance with the terms and conditions of the award and approved project budget, Cash Reports/Cash Requests under this award must be signed by an official who is authorized to legally bind the entity and to certify to the best of their knowledge and belief that the report is true, complete and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms of conditions of the award. Any false, fictitious, or fraudulent information, or the omission of any material fact, may subject the individual to criminal, civil or administrative penalties for fraud, false statements, false claims or others (U.S. Code, Title 18, Section 1001 and Title 231, Sections 3729-3730 and 3801-3812).
- d. **Regardless of the start date of the grant project**, quarterly reports are due for normal quarters as listed.
Jan. – March (due last working day of April)
April – June (due last working day of July)
July – Sept. (due last working day of Oct.)
Oct. – Dec. (due last working day of Jan.)
- e. Subrecipients are required to submit performance reports on the performance metrics identified by the OVC, and in the time and manner required by the OVC. This information on the activities supported by the award funding will assist in assessing the effects of the VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction. Beginning October 1, 2015, the subrecipient agrees to submit such information quarterly.
- f. Non-profit subrecipients must submit a copy of their non-profit certification to the Nebraska Crime Commission. This can include: 1) a copy of 501(c)(3) designation letter; 2) a letter from the subrecipient's state taxing body or attorney general stating that the recipient is a non-profit organization operating within the state; or 3) a copy of the subrecipient's state certificate of incorporation that substantiates its non-profit status.
- g. All non-profit subrecipients of VOCA funding are required to make their financial statements available online (either on the subrecipient's website or another publically available website). OVC will consider subrecipient organizations that have federal 501(c)(3) tax status as in compliance with this requirement, to the extent that such organization files IRS Form 990 or equivalent, as several sources already provide searchable online databases of such financial statements.

6. Use of Federal Grant Funds

- a. Subrecipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor or other person has either 1) submitted a false claim for grant funds under 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 grant funds; 3) require any employee or contractor to sign an internal confidentiality agreement that prohibits or restricts from reporting fraud, waste or abuse. Potential fraud, waste, abuse or misconduct should be reported. In addition, the subrecipient must notify the Crime Commission. For more information on how to submit a claim go to:
http://www.justice.gov/sites/default/files/civil/legacy/2011/04/22/C-FRAUDS_FCA_Primer.pdf
- b. Federal grant funds will not be used to supplant State, local or any other funds that would otherwise be available. The agency's budget cannot decrease as a result of grant dollars. If an existing employee is

_____ initials of Authorized Official

assigned to this project and their salary is paid with grant funds, his or her position must be backfilled. The agency's personnel cannot decrease as a result of this grant project.

- c. No State/Federal grant funds shall be used for costs existing prior to or after the grant period.
- d. Federal and matching funds are to be used for the purpose stated in the approved grant application. Any changes must be approved by the Crime Commission prior to the change taking place.
- e. Federal funds cannot be used for lobbying. If matching funds are used for lobbying, a disclosure report shall be submitted to the Crime Commission.
- f. No other Federal funds shall be used to meet the match requirement.
- g. No Federal funds will be used for land acquisition.
- h. All subrecipient awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321) and other Federal laws (including the National Historic Preservation Act), if applicable. Activities that may trigger these requirements include renovation or construction projects funded by Federal awards. (see 28 C.F.R. Part 61, App. D)
- i. No Federal funds are to be used for entertainment, fines and penalties, Visa fees, Passport charges, bar charges/Alcoholic beverages, or membership fees.
- j. Crime Commission funding cannot be placed in interest bearing accounts by private non-profit agencies.
- k. Subrecipient 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, meetings, trainings, and other events, including the provision of no food and/or beverages at such events, and costs of attendance. Information on pertinent laws, regulations, policies and guidance for above section is available at:
http://ojp.gov/financialguide/DOJ/pdfs/2015_DOJ_FinancialGuide.pdf

7. Nondiscrimination/Civil Rights

- a. Subrecipient assures it and all its contractors will comply with all applicable nondiscrimination requirements as set forth by federal and state laws. No person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or be denied employment in connection with any activities receiving funds under the Act on the basis of race, color, religion, age, sex, national origin or handicap. For guidelines, see: http://ojp.gov/fedregister/28_CFR_42.301-308.pdf
- b. In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing the recipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings is to be sent to the Crime Commission. If required, the subgrantee will formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42.301 et. seq.
- c. Subrecipients, whose projects, personnel or subawards become involved in any litigation, whether civil or criminal, shall immediately notify the Crime Commission and forward a copy of any demand notices, lawsuits, or indictments to the Commission.
- d. Subrecipient acknowledges that failure to submit an acceptable EEO (if subrecipient 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 its Certified Assurances and may result in suspension or termination of funding, until such time as the subrecipient is in compliance.

_____ initials of Authorized Official

- e. Subrecipient must comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Subgrantees receiving Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For further information on the civil right responsibilities, see <http://www.lep.gov>.
 - f. Subrecipient agrees to notify employees and clients, customers, and program participants of prohibited discrimination and the procedures for filing a complaint of discrimination. The subgrantee agrees to have a procedure in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subrecipient.
 - g. Subrecipient assures full cooperation with the Nebraska Crime Commission in the monitoring of the subrecipient compliance with all applicable Federal Civil Rights laws. Monitoring may include submission of any required documentation, requests for information, and on-site visits.
 - h. Subrecipient agrees to comply with the applicable requirements of 28 CFR 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 participations in such activities by individuals receiving services from the grantee or a subgrantee 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. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm
 - i. Subrecipient 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. Subrecipients should consult local counsel in reviewing employment practices and if warranted, an analysis of the use of arrest and conviction records should be incorporated into the subrecipient's Equal Employment Opportunity Plan. More information on Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964 (June 2013), is available at http://ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf.
8. Restrictions and certifications regarding non-disclosure agreements and related matters

No subrecipient or subaward 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 to contravene requirements applicable to any form issued by a federal department or agency governing the nondisclosure of classified information.

- 1. Under this award if the subrecipient does or is authorized to make subawards or contracts –
 - 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 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. 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

_____ initials of Authorized Official

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.

9. Subrecipient agrees to attend Grant Management Training sponsored by the Crime Commission, as indicated by the grant program.
10. Subrecipient agrees to comply with any additional requirements that may be imposed as a result of grant performance and that the misuse of award funds may result in a range of penalties, including suspension of current and future funds, recoupment of money provided under an award, and civil and/or criminal penalties.
11. Subrecipient agrees that any publication (written, visual, or audio) funded in whole or in part with federal or state funds shall contain the following statement: "This project was supported by subgrant No. _____ awarded by the Nebraska Crime Commission and points of view or opinions contained in this document are those of the author and do not necessarily represent the official position or policies of the Commission or the . . . (identify source of federal funds)." When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal or state money, all subrecipients receiving funds shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal or State money, and (2) the dollar amount of Federal or State funds for the project or program.
12. Subrecipient agrees to obtain advance written approval from the Crime Commission before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work: or 2) incorporating any copyright work, or portion thereof, into a new work developed under this award.
13. Subrecipient understand 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. If at any time during the grant period the subrecipient, or one or its serving Board members, is barred from doing business with the Federal Government, the Crime Commission shall be notified by the subgrantee in writing.
15. All agencies who are participants in the awarded project shall establish and maintain a drug free work-place policy.
16. Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or agreement to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of the Nebraska Crime Commission.
17. Subrecipients funded for \$25,000 or more agree to comply with applicable requirements to report the names and total compensation of the five most highly compensated executives of the subrecipient. Such data will be submitted to the Federal Funding Accountability and Transparency Act (FFATA), Subaward Reporting System (FSRS). The details of the Crime Commission obligations, which derive from the FFATA, are posted on the Office of Justice Programs web site at www.fsr.gov.
18. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the subrecipient is encouraged to adopt and enforce polices banning employees from text messaging while driving any vehicle during the course of performing work founded by this grant, and to establish workplace safety polices and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

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Use of VOCA Funds

1. Subrecipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Sub grantees, available at <http://www.ojp.gov/funding/ojptrainingguidingprinciples.htm>.
2. Subrecipient assures it will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 42 U.S.C. 10603(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required.
 - a. VOCA funds are to be used to provide direct services to individual crime victims, at no cost to the victim.
 - b. VOCA guidelines define a victim as a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime. The primary purpose of VOCA grant funds is to support the provision of services to victims. Services are those efforts that respond to the emotional and physical needs of crime victims; assist primary and secondary victims of crime to stabilize their lives after victimization; assist victims to understand and participate in the criminal justice system; and, provide victims of crime with a measure of safety and security.

In addition to any previously stated restrictions VOCA funds **cannot be used** for any of the following:

Capital expenditures	Legislative and administrative duties of staff
Community education	Lobbying and administrative advocacy
Crime prevention activities	Needs assessments, surveys, evaluations or studies
Relocation expenses for the victim	
Development of protocols, interagency agreements and other working agreements	Perpetrator rehabilitation and counseling or any other activities involving or relating to perpetrators
Fund-raising activities	Reimbursement to crime victims for expenses incurred as a result of a crime, including property loss
Individual membership dues	
Witness Management and Notification Systems	
Purchasing vehicles	Prosecution Activities

- c. Volunteers are to be utilized by the subgrantee throughout the duration of the project. Volunteer services must be documented, and to the extent feasible, by the same methods used by the subgrantee for its paid employees.
- d. At no time shall a victim's name, address, phone number or other identifying information be divulged to another individual or agency unless they are part of the criminal justice or health and human services system or the victim has given prior voluntary written consent for such release of information.
- e. Subrecipient agrees to collect and report to the Crime Commission statistics and data on services and activities provided. Information on race, sex, nation origin, age, and disability of recipients of assistance will be collected and maintained, where such information is voluntarily furnished by those receiving assistance.
- f. Subrecipient shall cooperate, coordinate and have the active participation and support of law enforcement and criminal justice agencies within the jurisdiction of the assisting agency and will cooperate and coordinate with any coordinated response efforts.
- g. Subrecipient must provide services to victims of federal crimes on the same basis as victims of state/local crimes.
- h. Subrecipient is required to help victims apply for Crime Victims Reparations (CVR) benefits, i.e., identifying and notifying crime victims of the availability of compensation, assisting victim with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. Victim is responsible for mailing CVR claims to the Crime Commission but subgrantee may provide the envelope and stamp.
- i. Subrecipient is required to provide information to victims about Victim Information and Notification Everyday (VINE), assist victims in registering with the VINE system and promote awareness about VINE.

_____ initials of Authorized Official

Victim Witness Programs - Use of Federal VOCA Funds

- a. The purpose of a victim witness program is to advocate for victims and provide timely assistance to individual victims of crime. Advocacy should begin within 72 hours or the next business day after the incident for all serious crimes (homicide, sexual assault, assaults) and most crimes against the elderly. Victim Witness Units located in County Attorney offices are to have a process in place to receive law enforcement incident reports for victims of serious crimes and crimes against the elderly so that advocacy can begin within 72 hours or sooner.
- b. VOCA funds are **not** for the purpose of providing services to businesses **unless** an individual or individuals within the business is a victim of a crime.
- c. Policies and procedures are required that include when and how victim contact will be made and when and how follow up contact will be made.
- d. Failure to respond and provide advocacy in a timely manner to all victims of serious crimes, including most crimes against the elderly, may jeopardy a subrecipient's VOCA funding.
- e. VOCA funds cannot support any activities or expenses that are the responsibility of the prosecutor or law enforcement agency.

I have read the above Special Conditions and understand they are part of the binding Grant Award.

Signature of Authorized Official _____ Date _____

Note: The Authorized Official is the Mayor, Chair of County Board or City Council or the Board Chair of a Private Non-profit Agency. The Director of the Agency is NOT considered the authorized official for the signing of these Special Conditions.

Signature of Agency Director Rhonda Ralles _____ Date 1-5-16 _____

Signature of Project Director _____ Date _____

Signature of Fiscal Officer Joseph Lory _____ Date 1/5/16 _____

_____ initials of Authorized Official