

U.S. Department of Justice
Office of Justice Programs
Violence Against Women Program Office



Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act

Applicants should refer to the regulations cited below to determine the certifications to which they are required to attest. Applicants should also review the instructions for certification included in the Program regulations before completing this form. Signature on this form certifies that the State is qualified to receive the funds and provides for compliance with relevant requirements under 28 CFR Part 90, "Rape Exam Payment Requirement" and "Filing Costs for Criminal Charges." The certifications shall be treated as a material representation of fact upon which the Department of Justice will rely when it determines to award the covered transaction, grant, or cooperative agreement.

Any State shall be qualified for funds provided under the Violence Against Women Act upon certification that:

- 1) the funds will be used only for the seven purposes described in 42 U.S.C. 3796gg(b) under the " Grants to Combat Crime Against Women" program authority;
- 2) grantees and subgrantees will develop a plan for implementation and consult and coordinate with nonprofit, nongovernmental victim service programs, including sexual assault and domestic violence victim service providers in the development of this plan;
- 3) at least 25 percent of the amount granted will be allocated, without duplication, to each of the following three (3) areas: law enforcement, prosecution and victim services, as these terms are defined in the Regulations; and
- 4) any Federal funds received under this subchapter will be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this chapter.

In addition, as required by Sections 2005 and 2006 of Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322 (September 13, 1994), which, in part, amends the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3711 *et seq.* [by adding a new 'Part T'. Part T comprises Sections 2001 through 2006, codified at 42 U.S.C. §§3796gg through 3796gg-5], and implemented at 28 CFR Part 90, for persons entering into a grant or cooperative agreement, as defined at 28 CFR Part 90, the applicant certifies that:

1) Forensic Medical Examination Payment Requirement for Victims of Sexual Assault

- a) The State, Indian tribal government, or unit of local government incurs the full out-of-pocket costs of forensic medical examinations for victims of sexual assault.
- b) A State will be deemed to incur the full out-of-pocket cost of forensic medical examinations for victims of sexual assault if that government entity or some other:
 - 1) provides such examinations to victims free of charge;
 - 2) arranges for victims to obtain such examinations free of charge; or
 - 3) reimburses victims for the cost of such examinations if:
 - i) the reimbursement covers the full cost of such examinations, without any deductible requirement or limit on the amount of reimbursement;

ii) the governmental entity permits victims to apply for reimbursement for not less than one year from the date of the examination;

iii) the governmental entity provides reimbursement not later than ninety (90) days after written notification of the victim's expense; and

iv) the governmental entity provides information at the time of the examination to all victims, including those with limited or no English proficiency, regarding how to obtain reimbursement. Section 2005 (b), codified at 42 U.S.C. 3796gg-4(b).

2) Filing Costs For Criminal Charges

a) A State will not be entitled to funds unless it:

1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, that the victim bear the costs associated

with filing criminal charges against a domestic violence offender, or the costs associated with the issuance or services of a warrant, protection order, and witness subpoena; or

2) assures that its laws, policies, and practices will be in compliance with the requirements of paragraph (a)(1) of this section by the date on which the next session of the State legislature ends, or by September 13, 1996, whichever is later.

b) An Indian tribal government or unit of local government will not be eligible for subgrants from the State unless it complies with the requirements of paragraph (a) of this section with respect to its laws, policies, and practices.

c) If a State does not come into compliance within the time allowed in paragraph (a)(2) of this section, the State will not receive its share of the grant money whether or not individual units of local government are in compliance. Section 2006, codified at 42 U.S.C. 3796gg-5.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Typed Name of Authorized Representative

Title

Telephone Number

Signature of Authorized Representative

Date Signed

Agency Name