

Definitions Applicable to this Program

Domestic Violence - the term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction receiving grant monies. For the purposes of this Program, "domestic violence" also includes any crime of violence considered to be an act of domestic violence according to State law.

Indian Tribe - the term "Indian tribe" means a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Law Enforcement - the term "law enforcement" means a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs).

Prosecution - the term "prosecution" means any public office or agency charged with direct responsibility for prosecuting criminal offenders, including such office's or agency's component departments or bureaus (such as governmental victims services programs). Prosecution support services, such as overseeing or participating in statewide or multijurisdictional domestic violence task forces, conducting training for State and local prosecutors; or enforcing victim compensation and domestic violence-related restraining orders shall be considered "direct responsibility" for purposes of this program.

Sexual Assault - the term "sexual assault" means any conduct proscribed by chapter 109A of Title 181, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim.

Underserved Populations - the term "underserved populations" includes populations underserved because of geographic location (such as rural isolation), underserved racial or ethnic populations, and populations underserved because of special needs, such as language barriers or physical disabilities.

Victim Services - the term "victim services" means a nonprofit, nongovernmental organization that assists domestic violence or sexual assault victims, including rape crisis centers, battered women's shelters, and other sexual assault or domestic violence programs, including nonprofit, nongovernmental organizations assisting domestic violence or sexual assault victims through the legal process.

For the purposes of this Program, funding may include support for lawyer and nonlawyer advocates, including specialized domestic violence court advocates in courts where a significant number of protective orders are granted. Legal or defense services for perpetrators of violence against women may not be supported with grant funds.

The definition also encompasses Indian victim assistance programs and Statewide domestic violence and sexual assault coalitions to the extent they provide direct services to domestic violence and sexual assault victims.

Governmental victim services programs established as nonprofit organizations are eligible to apply under the designated State grant victim services funds (e.g., county nonprofit shelter). However, other governmental victim services programs are eligible for funding only under the unallocated portion of a State's grant.

Forensic Medical Examination - the term "forensic medical examination" means an examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law. The examination should include at a minimum:

- (i) examination of physical trauma;
- (ii) determination of penetration or force;
- (iii) patient interview; and
- (iv) collection and evaluation of evidence.

The inclusion of additional procedures (e.g., testing for sexually transmitted diseases) to obtain evidence may be determined by the State, Indian tribal government, or unit of local government in accordance with its current laws, policies, and practices.