

File No. 091436

Committee Item No. 1  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Public Safety Committee

Date: January 4, 2010

Board of Supervisors Meeting

Date \_\_\_\_\_

**Cmte Board**

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

**OTHER**

(Use back side if additional space is needed)

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Completed by: Victor Young

Date December 30, 2009

Completed by: Victor Young

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.



1 [Accept and Expend U.S. Dept. of Justice/Office of Violence Against Women Grant and  
2 Amend Annual Salary Ordinance for FY 2009-2010]

3  
4 **Ordinance authorizing the San Francisco District Attorney's Office (DAT) to**  
5 **retroactively accept and expend a grant in the amount of \$698,970 from the U.S.**  
6 **Department of Justice/Office of Violence Against Women – Grants to Encourage Arrest**  
7 **Policies and Enforcement of Protection Orders for the purpose of improving the**  
8 **criminal justice systems' response to limited English proficiency victims of domestic**  
9 **violence, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010)**  
10 **to reflect the addition of one (1) grant-funded position (.50 FTE) in Class 8129 Victim**  
11 **Witness Investigator I at DAT.**

12  
13  
14 Note: Additions are single-underline italics Times New Roman  
15 Deletions are ~~strikethrough italics Times New Roman~~;  
16 Board amendment additions are double underlined.  
17 Board amendment deletions are ~~strikethrough normal~~.

18 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. Findings.

20 (a) The Mayor's Office of Community Investment (MOCI) applied for funding from the  
21 Department of Justice/Office of Violence Against Women Grants to Encourage Arrest Policies  
22 and Enforcement of Protection Orders, and was awarded \$698,970. The purpose of the grant  
23 funding is to improve services for limited English proficient victims of domestic violence within  
24 the criminal justice system.  
25

1 (b) The award period is from September 1, 2009 to August 31, 2011, with a 24-month  
2 implementation plan.

3 (c) The grant does not include any provision for indirect costs.

4 (d) The overall grant administration has been transferred from MOCI to the Office of the  
5 District Attorney (DAT).

6 Section 2. Authorization to Accept and Expend Grant Funds.

7 (a) The Board of Supervisors hereby authorizes the San Francisco District Attorney's  
8 Office (DAT) to accept and expend, on behalf of the City and County of San Francisco,  
9 USDOJ/OVW grant funds in the amount of \$698,970 for the purpose of improving the criminal  
10 justice system response to limited English proficiency victims of domestic violence.

11 (b) The grant does not include any provision for indirect costs and indirect costs are  
12 hereby waived.

13 Section 3. Grant Funded Positions; Amendment to FY 2009-2010 Annual Salary  
14 Ordinance. The hereinafter designated section of Ordinance Number 183-09 (Annual Salary  
15 Ordinance FY 2009-2010) is hereby amended to add one (1) position at the Office of the  
16 District Attorney (DAT) as follows:

17  
18 **Department: DAT** **District Attorney**

19 Program: AIE Work Orders and Grants

20 Subfund: 2S PPF GNC

21 Index Code: 041012 DAOVWL\_10

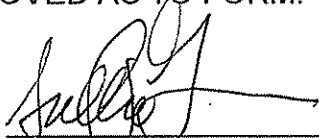
22  
23 Amendment # of Pos. Class and Item No. Compensation Schedule Department

24  
25 Add .50 FTE (G) 8129 Victim Witness Investigator I \$2014 B \$2449 DAT


Supervisor David Chiu  
BOARD OF SUPERVISORS

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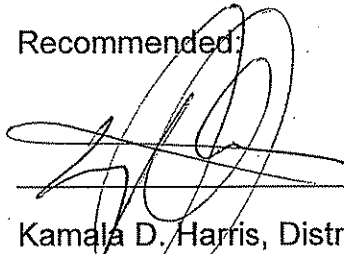
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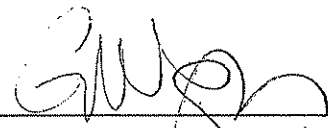
By:   
Sallie P. Gibson  
Deputy City Attorney

APPROVED AS TO CLASSIFICATION  
DEPARTMENT OF HUMAN RESOURCES

By:   
Micki Callahan, Director  
Department of Human Resources

Recommended:

  
for KDH  
Kamala D. Harris, District Attorney

APPROVED:   
for Gavin Newsom, Mayor

APPROVED:   
Controller, Grant Division

Supervisor David Chiu  
BOARD OF SUPERVISORS

**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Sheila Arcelona, District Attorney's Office  
**DATE:** 11/9/2009  
**SUBJECT:** Accept and Expend Ordinance for Subject Grant

**GRANT TITLE:** Federal Grant – OVW Domestic Violence Project

Attached please find the original and 4 copies of each of the following:

- Proposed grant ordinance; original signed by Department, Mayor, Controller
- Grant information form, including disability checklist
- Grant budget
- Grant narrative

**Special Timeline Requirements:**

\*Please place on consent calendar for earliest possible committee!

**Departmental representative to receive a copy of the adopted resolution:**

Name: Sheila Arcelona Phone: 415-734-3018

Interoffice Mail Address: DAT, 850 Bryant Street, Ste. 322

Certified copy required Yes  No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

**File Number:** \_\_\_\_\_  
(Provided by Clerk of Board of Supervisors)

**Grant Information Form**  
(Effective July 2006)

Purpose: Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying ordinance:

1. Grant Title: OVW Grants to Encourage Arrest Policies and Enforcement of Protection Orders
2. Department: San Francisco District Attorney's Office
3. Contact Person: Sheila Arcelona Telephone: 415-734-3018
4. Grant Approval Status (check one):  
 Approved by funding agency  Not yet approved
5. Amount of Grant Funding Approved or Applied for: \$ 698,970
- 6a. Matching Funds Required: \$ *Not applicable*  
b. Source(s) of matching funds (if applicable):
- 7a. Grant Source Agency: U.S. Department of Justice/Office of Violence Against Women  
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary: Improve the criminal justice systems' response to limited English proficiency victims of domestic violence.
9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
Start-Date: 09/01/09 End-Date: 08/31/2011
10. Number of new positions created and funded: .5 FTE (G) (1 FTE (G) Victim Investigator I hired mid-year)
11. Explain the disposition of employees once the grant ends? Grant position will be coded G.
- 12a. Amount budgeted for contractual services: \$243,350  
b. Will contractual services be put out to bid? No, this was a collaborative proposal with Asian Women's Shelter, the lead agency of a consortium of non profits serving domestic violence victims. Asian Women's Shelter and the other partners were named in the award letter as subrecipients.  
c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? No, grant specifies non profits only.  
d. Is this likely to be a one-time or ongoing request for contracting out? One-time

13a. Does the budget include indirect costs?  Yes  No

b1. If yes, how much? \$

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency

To maximize use of grant funds on direct services

Other (please explain):

c2. If no indirect costs are included, what would have been the indirect costs? The DA's office does not have an established indirect cost rate agreement with the granting agency.

14. Any other significant grant requirements or comments:

This grant was originally applied for through the Mayor's Office of Community Investment, and was re-assigned to the District Attorney's office when MOCI was reorganized. This change has been approved by the grantor.

**\*\*Disability Access Checklist\*\***

15. This Grant is intended for activities at (check all that apply):

Existing Site(s)

Existing Structure(s)

Existing Program(s) or Service(s)

Rehabilitated Site(s)

Rehabilitated Structure(s)

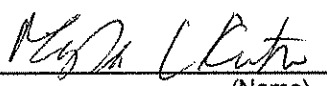
New Program(s) or Service(s)

New Site(s)

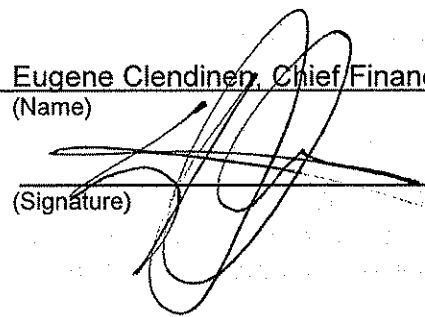
New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer:   
(Name)

Date Reviewed: 11.5.2009

Department Approval: Eugene Clendiner, Chief/Financial Officer  
(Name) (Title)  
  
(Signature)





Department of Justice  
Office on Violence Against Women

August 24, 2009

Washington, D.C. 20531

Mr. Brian Cheu  
City and County of San Francisco  
1 Dr. Carlton B Goodlet Place  
San Francisco, CA 94102

Dear Mr. Cheu:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office on Violence Against Women has approved your application for funding under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program in the amount of \$698,970 for City and County of San Francisco. This award provides the opportunity for recipients to develop and strengthen effective responses to violence against women. With this initial Arrest award, the City and County of San Francisco will collaborate with the Asian Women's Shelter, Asian Pacific Islander Legal Outreach, Donaldina Cameron House and Mujeres Unidas y Activas, to implement the Grants to Encourage Arrest Policies and Enforcement of Protection Orders project.

Enclosed you will find the award package. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact Chanell Jones at (202) 305-2379. For financial questions, contact the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or by email at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Pierce".

Catherine Pierce  
Acting Director

Enclosures



**Department of Justice**  
Office of Justice Programs  
Office for Civil Rights

Washington, D.C. 20531

August 24, 2009

Mr. Brian Cheu  
City and County of San Francisco  
1 Dr. Carlton B Goodlet Place  
San Francisco, CA 94102

Dear Mr. Cheu:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

**Ensuring Access to Federally Assisted Programs**

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

**Providing Services to Limited English Proficiency (LEP) Individuals**

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

**Ensuring Equal Treatment for Faith-Based Organizations**

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

## **Enforcing Civil Rights Laws**

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

## **Complying with the Safe Streets Act or Program Requirements**

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEO Plan), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

### **1) Meeting the EEO Plan Requirement**

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEO Plan reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEO Plan and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEO Plan, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eop.htm>. You may also request technical assistance from an EEO Plan specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEO Plan, but it does not have to submit the EEO Plan to OCR for review. Instead, your organization has to maintain the EEO Plan on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEO Plan requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eop.htm>.

### **2) Submitting Findings of Discrimination**

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

## **Ensuring the Compliance of Subrecipients**

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEO Plan, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston  
Director

cc: Grant Manager  
Financial Analyst



**Department of Justice**  
Office of Justice Programs  
Office of the Chief Financial Officer

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Washington, D.C. 20531

August 24, 2009

Mr. Brian Cheu  
City and County of San Francisco  
1 Dr. Carlton B Goodlet Place  
San Francisco, CA 94102

Reference Grant Number: 2009-WE-AX-0007

Dear Mr. Cheu:

I am pleased to inform you that my office has approved the following budget categories for the aforementioned grant award in the cost categories identified below:

Category	Budget
Personnel	\$443,970
Fringe Benefits	\$11,650
Travel	\$0
Equipment	\$0
Supplies	\$0
Construction	\$0
Contractual	\$243,350
Other	\$0
Total Direct Cost	\$698,970
Indirect Cost	\$0
Total Project Cost	\$698,970
Federal Funds Approved:	\$698,970
Non-Federal Share:	\$0
Program Income:	\$0

Match is not required for this grant program.

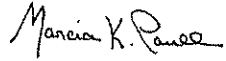
All Sole Source procurement in excess of \$100,000 requires written justification and the prior approval of OVW.

If you have questions regarding this award, please contact:

- Program Questions, Chanell Jones, Program Manager at (202) 305-2379
- Financial Questions, the Office of Chief Financial Officer, Customer Service Center(CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Marcia K. Paull".

Marcia K. Paull  
Chief Financial Officer



Department of Justice  
Office on Violence Against Women  
**Office on Violence Against Women**

**Grant**

PAGE 1 OF 5

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City and County of San Francisco 1 Dr. Carlton B Goodlet Place San Francisco, CA 94102		4. AWARD NUMBER: 2009-WE-AX-0007	
		5. PROJECT PERIOD: FROM 09/01/2009 TO 08/31/2011 BUDGET PERIOD: FROM 09/01/2009 TO 08/31/2011	
1A. GRANTEE IRS/VENDOR NO. 946000479		6. AWARD DATE 08/24/2009	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE Grants to Encourage Arrest Policies and Enforcement of Protection Orders		10. AMOUNT OF THIS AWARD \$ 698,970	
		11. TOTAL AWARD \$ 698,970	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. 3796hh - 3796hh-4 (OVW - Arrest)			
15. METHOD OF PAYMENT PAPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Catherine Pierce Acting Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Brian Cheu Deputy Director	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. OFC. DIV. REG. SUB. POMS AMOUNT X A W4 29 00 00 698970		21. W409D00005	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 2 OF 5

PROJECT NUMBER 2009-WE-AX-0007

AWARD DATE 08/24/2009

*SPECIAL CONDITIONS*

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient 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 recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express prior written approval of OVW, in order to avoid violation of 18 USC § 1913. The recipient may, however, use federal funds to collaborate with and provide information to Federal, State, local, tribal and territorial public officials and agencies to develop and implement policies to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 42 USC 13925(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.
5. The recipient 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. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig).

6. The grantee agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, and OVW's implementing regulations at 28 CFR Part 90.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 3 OF 5

PROJECT NUMBER 2009-WE-AX-0007

AWARD DATE 08/24/2009

*SPECIAL CONDITIONS*

7. The Director of OVW, upon a finding that there has been substantial failure by the grantee to comply with applicable laws, regulations, and/or the terms and conditions of the grant or cooperative agreement, will terminate or suspend until the Director is satisfied that there is no longer such failure, all or part of the grant or cooperative agreement, in accordance with the provisions of 28 CFR Part 18, as applicable mutatis mutandis.
8. Under the Government Performance and Results Act (GPRA) and VAWA 2000, grantees are required to collect and maintain data that measure the effectiveness of their grant-funded activities. Accordingly, the grantee agrees to submit semi-annual electronic progress reports on program activities and program effectiveness measures. Information that grantees must collect under GPRA and VAWA 2000 includes, but is not limited to: 1) number of persons served; 2) number of persons seeking services who could not be served; 3) number and percentage of arrests relative to the number of police responses to domestic violence incidents; 4) number of protection orders issued; and 5) number of victim advocates supported by grant funding.
9. The grantee agrees to submit semiannual progress reports that describe project activities during the reporting period. Progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1-June 30 and July 1 - December 31 for the duration of the award. Future awards may be withheld if progress reports are delinquent. Grantees are required to submit this information online, through the Grants Management System (GMS), on the semi-annual progress report for the relevant OVW grant programs.
10. A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 90 days after the end of the award. The Final Progress Report should be submitted to the Office on Violence Against Women through the Grants Management System with the Report Type indicated as "Final".
11. All materials and publications (written, visual, or sound) resulting from award activities shall contain the following statements: "This project was supported by Grant No. \_\_\_\_\_ awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.
12. The grantee agrees to submit one copy of all reports and proposed publications funded under this project not less than twenty (20) days prior to public release for OVW review. Prior review and approval of a report or publication is required if project funds are to be used to publish or distribute reports and publications developed under this grant.





Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET**  
**Grant**

PAGE 4 OF 5

PROJECT NUMBER 2009-WE-AX-0007

AWARD DATE 08/24/2009

*SPECIAL CONDITIONS*

13. Pursuant to 28 CFR §66.34, the Office on Violence Against Women reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, in whole or in part (including in the creation of derivative works), for Federal Government purposes:

(a) any work that is subject to copyright and was developed under this award, subaward, contract or subcontract pursuant to this award; and

(b) any work that is subject to copyright for which ownership was purchased by a recipient, subrecipient or a contractor with support under this award.

In addition, the recipient (or subrecipient, contractor or subcontractor) must obtain advance written approval from the Office on Violence Against Women program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.

14. The grantee agrees to allocate project funds as designated by the Office on Violence Against Women for allowable costs to participate in OVW-sponsored technical assistance. Funds designated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval of OVW and the issuance of a Grant Adjustment Notice (GAN) permitting such use. Technical assistance includes, but is not limited to, peer-to-peer consultations, focus groups, mentoring site visits, conferences and workshops conducted by OVW-designated technical assistance providers or OVW-designated consultants and contractors.
15. The grantee will provide the Office on Violence Against Women (OVW) with the agenda for any training, seminar, workshop, or conference not sponsored by OVW that project staff propose to attend using grant funds. This includes the use of "OVW-TA" funds to pay an outside consultant to develop a training. The grantee must receive prior approval from OVW before using OVW grant funds to attend any training, workshops, or conferences not "Arrest Grantee Approved". To request approval, grantees should complete a training application, which can be obtained from their OVW program specialist, and submit the application as an attachment to a Grant Adjustment Notice (GAN) request through the Grants Management System (GMS). A copy of the event's brochure, curriculum and/or agenda, and a description of the hosts or trainers should also be attached to the GAN. The GAN request should be submitted to OVW at least 20 days before registration for the event is due. Approval to attend non-Arrest approved and/or non-OVW sponsored programs will be given on a case-by-case basis.
16. Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by the Office on Violence Against Women prior to obligation or expenditure of such funds.
17. The grantee agrees to submit for OVW review and approval any anticipated addition of, removal of, or change in collaborating partner agencies or individuals who are signatories of the Memorandum of Understanding, and if applicable, the Internal Memorandum of Agreement.
18. The grantee agrees that funds will not be used for prevention activities (e.g., outreach to elementary and secondary schools, implementation of educational programs regarding domestic and dating violence intervention, and public awareness campaigns). The grantee may use funds to provide outreach regarding the specific services offered under the grant.



Department of Justice  
Office on Violence Against Women

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 5 OF 5

PROJECT NUMBER 2009-WE-AX-0007

AWARD DATE 08/24/2009

*SPECIAL CONDITIONS*

19. The grantee agrees that grant funds will not support activities that may compromise victim safety, such as: pre-trial diversion programs not approved by OVW or the placement of offenders in such programs; mediation, couples counseling, family counseling or any other manner of joint victim-offender counseling; mandatory counseling for victims, penalizing victims who refuse to testify, or promoting procedures that would require victims to seek legal sanctions against their abusers (e.g., seek a protection order, file formal complaint); or the placement of perpetrators in anger management programs.

20. Pursuant to 42 USC 3796hh(d), the grantee understands that 5% of this award is being withheld and that it may not obligate, expend or drawdown that 5% unless, by the period ending on the date on which the next session of the State legislature ends, the State or unit of local government, --

(1) certifies that it has a law or regulation that requires -

(A) the State or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than 48 hours after the date on which the information or indictment is presented;

(B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and

(C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B).

The "next session of the State legislature" means the next session after the date on which the application for this award was submitted.

If the grantee submits a certification, a Grant Adjustment Notice (GAN) will be issued, and the funds will become available for drawdown. If, by the date on which the next session of the State legislature ends, the grantee is not in compliance with this provision, the withheld funds will be deobligated from the amount of funds awarded for this award period.

If the grantee is an Indian Tribe, it should contact OVW to determine whether it falls within the definition of "unit of local government" as defined by 42 USC § 3791. If it does not, a GAN will be issued and the condition will be removed.

21. All contracts under this award should be competitively awarded unless circumstances preclude competition. When a contract amount exceeds \$100,000 and there has been no competition for the award, the recipient must comply with rules governing sole source procurement found in the current edition of the OJP Financial Guide.



**Department of Justice**

*Office on Violence Against Women*

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*Washington, D.C. 20531*

**Memorandum To:** Official Grant File

**From:** Marrie R. Shiels, Attorney Advisor

**Subject:** Categorical Exclusion for City and County of San Francisco

The Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (Arrest) implements certain provisions of the Violence Against Women Act, which was enacted in September 1994 as Title IV of the Violent Crime Control and Law Enforcement Act of 1994, the Violence Against Women Act of 2000 and reauthorized in the Violence Against Women Act in 2005. The program enhances victim safety and offender accountability in cases of domestic violence, sexual assault, dating violence and stalking by encouraging jurisdictions to implement mandatory and pro-arrest policies as an effective domestic violence intervention that is part of a coordinated community response.

An integral component of Arrest Program initiatives is the creation and enhancement of collaborative partnerships between criminal justice agencies, victim services providers, and community organizations which respond to domestic violence, sexual assault, dating violence and stalking. None of the following activities will be conducted under the OVW federal action: 1. New construction. 2. Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year floodplain. 3. A renovation which will change the basic prior use of a facility or significantly change its size. 4. Research and technology whose anticipated and future application could be expected to have an effect on the environment. 5. Implementation of a program involving the use of chemicals. Consequently, the subject federal action meets the criteria for a categorical exclusion as contained in paragraph 4.(b) of Appendix D to Part 61 of the Code of Federal Regulations (adopted by OVW at 28 CFR § 0.122(b)).



Department of Justice  
Office on Violence Against Women

**GRANT MANAGER'S MEMORANDUM, PT. I:  
PROJECT SUMMARY**

**Grant**

PROJECT NUMBER

2009-WE-AX-0007

PAGE 1 OF 1

This project is supported under 42 U.S.C. 3796hh - 3796hh-4 (OVW - Arrest)

**1. STAFF CONTACT (Name & telephone number)**

Chanell Jones  
(202) 305-2379

**2. PROJECT DIRECTOR (Name, address & telephone number)**

Brian Cheu  
Managing Director of Programs  
1 South Van Ness Avenue  
5th Floor  
San Francisco, CA 94103-1267  
(415) 701-5573

**3a. TITLE OF THE PROGRAM**

OVW FY 09 Grants to Encourage Arrest Policies & Enforcement of Protection Orders

**3b. POMS CODE (SEE INSTRUCTIONS  
ON REVERSE)**

**4. TITLE OF PROJECT**

Grants to Encourage Arrest Policies and Enforcement of Protection Orders

**5. NAME & ADDRESS OF GRANTEE**

City and County of San Francisco  
1 Dr. Carlton B Goodlet Place  
San Francisco, CA 94102

**6. NAME & ADDRESS OF SUBGRANTEE**

**7. PROGRAM PERIOD**

FROM: 09/01/2009 TO: 08/31/2011

**8. BUDGET PERIOD**

FROM: 09/01/2009 TO: 08/31/2011

**9. AMOUNT OF AWARD**

\$ 698,970

**10. DATE OF AWARD**

08/24/2009

**11. SECOND YEAR'S BUDGET**

**12. SECOND YEAR'S BUDGET AMOUNT**

**13. THIRD YEAR'S BUDGET PERIOD**

**14. THIRD YEAR'S BUDGET AMOUNT**

**15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)**

The Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (Arrest) implements certain provisions of the Violence Against Women Act, which was enacted in September 1994 as Title IV of the Violent Crime Control and Law Enforcement Act of 1994, reauthorized in the Violence Against Women Act of 2000 and the Violence Against Women and Department of Justice Reauthorization Act of 2005. The program enhances victim safety and offender accountability in cases of domestic violence, dating violence, sexual assault and stalking by encouraging jurisdictions to implement pro-arrest policies as an effective intervention that is part of a coordinated community response. An integral component of Arrest Program initiatives is the creation and enhancement of collaborative partnerships between criminal justice agencies, victim services providers, and community organizations which respond to domestic violence, sexual assault, dating violence and stalking.

San Francisco, California is made up of a diverse array of populations, many of which are Limited English Proficiency (LEP). Twenty-six of San Francisco

residents speak one of the Asian Pacific Islander (API) languages, and approximately 12% of the residents speak Spanish. The City and County of San Francisco is the financial and cultural core of a metropolitan area of 5.5 million people. The City covers an area of approximately 46 square miles and had a population of 744,041 as of the 2006 census data. The target population for this project is LEP domestic and dating violence victims in San Francisco.

The San Francisco Mayor's Office, in collaboration with its non-profit, non-governmental victim service partners Asian Women's Shelter, Asian Pacific Islander Legal Outreach, Donaldina Cameron House and Mujeres Unidas y Activas, will implement this project to: create a specialized subunit in the San Francisco District Attorney's Domestic Violence Unit for cases involving LEP victims; a training and policy partnership between the District Attorney's Office; and a community-based collaboration, led by Asian Women's Shelter (AWS).

Through this initial award, the project will: 1) centralize prosecution of domestic and dating violence cases involving LEP victims by creating an LEP sub-unit in the District Attorney's Domestic Violence Unit staffed by a bilingual prosecutor and victim advocates; 2) utilize the Asian Women's Shelter (AWS) staff to train the LEP DV subunit on topics such as cultural competency, use of interpreters, and community collaboration in working with LEP victims of domestic and dating violence; and 3) collaborate with District Attorney staff and AWS to create protocols for working with LEP victims, which will be shared with all San Francisco criminal justice agencies.

CA/NCF



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F7-PRIOR PG    F8-NEXT PG            F10-SAVE            F11-DEL LINE    F12-DEL PAGE  
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**Budget & Budget Narrative**  
**Grants to Encourage Arrest Policies & Enforcement of Protection Orders Program**  
**San Francisco Proposal**

24 Month Budget Summary

		Annual Cost
<b>A. Personnel</b>		
1.0 FTE Prosecutor	\$4,548 x 52 pay periods	\$ 236,496
1.0 FTE Victim Advocate	\$2,360 x 52 pay periods	\$ 122,720
<b>B. Fringe Benefits</b>		
1.0 FTE Prosecutor		\$ 48,139
1.0 FTE Victim Advocate		\$ 36,615
<b>C. Travel</b>		
	OVW Technical Assistance	\$ 11,650
<b>D. Equipment</b>		\$ -
<b>E. Supplies</b>		\$ -
<b>F. Construction</b>		\$ -
<b>G. Consultants/Contracts</b>		
	Asian Women's Shelter	\$ 243,350
<b>H. Other</b>		\$ -
<b>Total</b>		<b>\$ 698,970</b>

**Budget Narrative**

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**A. Personnel**

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
<i>Prosecutor- 1.0 FTE</i>	<i>(\$4,548 x 26 pay periods/year x 2 years)</i>	<i>\$236,496</i>
<i>Victim Advocate – 1.0 FTE</i>	<i>(\$2,360 x 26 pay periods/year x 2 years)</i>	<i>\$122,720</i>
<b>TOTAL WAGES</b>		<b>\$359,216</b>
 <i>Prosecutor - Fringe</i>		
<i>Social Security/Medicare</i>	<i>(7.65% of salary)</i>	<i>\$15,519</i>
<i>Health Insurance</i>	<i>(\$4,964/yr x 2 years)</i>	<i>\$9,928</i>
<i>Dental Insurance</i>	<i>(\$1,253/yr x 2 years)</i>	<i>\$2,506</i>
<i>Dependent Coverage</i>	<i>(\$3,400/yr x 2 years)</i>	<i>\$6,800</i>
<i>Retirement</i>	<i>( 4.99% of salary)</i>	<i>\$11,801</i>
<i>Unemployment Compensation</i>	<i>(0.10% of salary)</i>	<i>\$237</i>
<i>Disability Insurance</i>	<i>(0.57% of salary))</i>	<i>\$1,348</i>
<b>TOTAL PROSECUTOR FRINGE</b>		<b>\$48,139</b>
 <i>Victim Advocate - Fringe</i>		
<i>Social Security/Medicare</i>	<i>(7.65% of salary)</i>	<i>\$9,388</i>
<i>Health Insurance</i>	<i>(\$4,942/yr x 2 years)</i>	<i>\$9,884</i>
<i>Dental Insurance</i>	<i>(\$1,253/yr x 2 years)</i>	<i>\$2,506</i>
<i>Dependent Coverage</i>	<i>(\$3,896/yr x 2 years)</i>	<i>\$7,792</i>
<i>Retirement</i>	<i>( 4.99% of salary)</i>	<i>\$6,124</i>
<i>Unemployment Compensation</i>	<i>(0.10% of salary)</i>	<i>\$123</i>
<i>Disability Insurance</i>	<i>(0.65% of salary))</i>	<i>\$798</i>
<b>TOTAL VICTIM ADVOCATE FRINGE</b>		<b>\$36,615</b>
 <b>TOTAL FRINGE</b>		 <b>\$84,754</b>

*These positions will be part of the San Francisco District Attorney's Office. The 1.0 FTE Prosecutor will work exclusively with a caseload of Limited English Proficient domestic and dating violence victims. The Prosecutor will be bilingual. The 1.0 Victim Advocate position will be filled by 2 0.5 FTE Victim Advocates, one of whom will be Spanish bilingual and the other of whom will be fluent in an Asian language. These Victim Advocates will support the victims on the Prosecutor's caseload by connecting them with victim witness funding and direct service community partners (see Asian Women's Shelter contract details below).*

*Collectively, these positions will form the Domestic Violence Unit's new Limited English Proficient DV Subunit. In addition to these duties, staff will work with Asian Women's Shelter and its community partners to develop trainings for other District Attorney Office*

*staff, criminal justice agencies and community organizations, and to develop an office protocol for working with Limited English Proficient victims.*

**TOTAL    \$443,970**

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**B. Travel**

*Required travel for OVW technical assistance:*

*Five conferences over 24 months for 2 staff*

*Estimated conference attendance cost:*

*\$255 per diem (includes meals and lodging) x 2 staff  
x 3 days/conference x 5 conferences*

*\$ 7,650*

*Airfare for 2 persons to five conferences (sites TBD)*

*Airfare estimated \$400/trip*

*\$ 4,000*

**TOTAL    \$11,650**

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**C. Equipment**

*There are no equipment costs budgeted.*

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**D. Supplies**

*There are no supply costs budgeted.*

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**E. Construction**

*There are no construction costs budgeted.*

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**F. Consultants/Contracts**

**Contracts**

<b><u>Item</u></b>	<b><u>Cost</u></b>
<i>Asian Women's Shelter</i>	<i>\$ 240,000</i>

**Subtotal    \$240,000**

*Funds will be allocated to Asian Women's Shelter to develop training and technical assistance for Prosecutors and Victim Advocates in the District Attorney's Office, as well as other criminal justice agencies, addressing working with Limited English Proficient victims and collaborating with the District Attorney's Office to develop relevant protocols, as well as for direct services to Limited English Proficient domestic and dating violence victims. Asian Women's Shelter has been selected for this contract due to its*

*unique training and collaborative expertise (see separate sheet), and local procurement policies will be followed to execute the contract.*

*A breakdown of this contract is as follows:*

<i>Staffing (0.05 FTE Executive Director, 0.25 FTE Trainer, 0.1 FTE Fiscal)</i>	<i>\$61,000</i>
<i>Training/Curriculum Development (2 subject matter experts x 10 days x \$450/day)</i>	<i>\$9,000</i>
<i>Subcontracts to community partners with experience serving LEP victims</i>	<i>\$170,000</i>
<i>Required travel for OVW Technical Assistance: (1 staff travel to 3 3-day conferences, including air fare &amp; per diem)</i>	<i>\$3,350</i>
<i>Total:</i>	<i>\$243,350</i>

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**G. Other Costs**

*There are no Other Costs budgeted.*

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**H. Indirect Costs**

*There are no indirect costs budgeted.*

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**Budget Summary**

<b><u>Budget Category</u></b>	<b><u>Amount</u></b>
<b>A. Personnel</b>	<b>\$443,970</b>
<b>B. Travel</b>	<b>\$11,650</b>
<b>C. Equipment</b>	<b>\$0</b>
<b>D. Supplies</b>	<b>\$0</b>
<b>E. Construction</b>	<b>\$0</b>
<b>F. Consultants/Contracts</b>	<b>\$243,350</b>
<b>G. Other</b>	<b>\$0</b>
<b>    Total Direct Costs</b>	<b>\$698,970</b>
<b>H. Indirect Costs</b>	<b>\$0</b>
<b>TOTAL PROJECT COSTS</b>	<b><u>\$698,970</u></b>
<b>    Federal Request</b>	<b>\$698,970</b>
<b>    Non-Federal Amount</b>	<b>\$0</b>

### **Justification for Sole Source: Asian Women's Shelter**

Asian Women's Shelter (AWS) has been selected as the lead community-based service provider for the proposed project. This selection was made based on two reasons:

*1. AWS's unique expertise and experience in developing services for traditionally underserved populations of domestic violence victims, including creating collaborative partnerships:*

Since opening as a local shelter program in 1988, *Asian Women's Shelter* has been at the forefront in direct service, prevention, and community organizing to end domestic violence in the Asian and Pacific Islander communities. Asian Women's Shelter is a national model with a long, demonstrated commitment to sharing information, resources, and funding in collaboration with community members, organizations and institutions. Twenty years ago, AWS was founded to meet the unmet needs of non-English speaking Asian survivors of domestic violence. Since opening, AWS has developed a philosophy and program structure that can meet the needs of other underserved populations, and address the intersection of those issues (for example, meeting the needs of immigrant survivors with disabilities and the Asian Pacific Islander LGBT community). Since 1991, AWS has been one of the first and only domestic violence shelters in the nation with a dedicated component to address same gender relationship violence in LGBT communities. In San Francisco, AWS has led the establishment of nonprofit collaborations for victims in the Asian/Pacific Islander community.

*2. AWS's unique expertise and experience as a national trainer on serving Limited English Proficient domestic violence victims:*

OVW has recognized AWS as a leader in the field by awarding the organization a grant through its Office on Violence Against Women Technical Assistance Program since 2001. Through that grant, AWS has provided technical assistance to over twenty organizations across the county.

It should be noted that Asian Women's Shelter has created a collaboration to support the proposed project, through which \$170,000 in grant funds will be provided to partner organizations to provide training and direct services for the project. While the total contract to AWS will be \$240,000 AWS will only be retaining \$70,000 of the contact funds.

A. Summary Data Sheet – limit 2 pages

- Authorized official: Mayor Gavin Newsom, City and County of San Francisco
- Point of contact: Lauren Bell, Criminal Justice Program Director,  
1 South Van Ness Avenue, San Francisco, CA 94103  
P: (415) 701-5573 F: (415) 701-5501 Email: Lauren.Bell@sfgov.org
- List of other Federal grant programs from which the applicant agency currently receives funding or for which it has applied in Federal FY 2009
- Applicant is not a current grantee
- Agency & type of agency applying for funding: *Mayor's Office (local government)*
- Nonprofit, non-governmental victim services program collaborating on this project: *Asian Women's Shelter, plus three additional community-based programs collaborating through Asian Women's Shelter (Asian Pacific Islander Legal Outreach, Donaldina Cameron House, Mujeres Unidas y Activas)*
- This is a new application.
- This is a local project.
- This project will be implemented in the City and County of San Francisco.
- Arrest Program Statutory Purpose Areas and Priority Areas:
  - Centralize and coordinate police enforcement, prosecution, or judicial responsibility for domestic violence, dating violence, sexual assault and stalking cases in teams or units of police officers, prosecutors, parole and probation officers, or judges (Statutory Purpose Area);

- Strengthen legal advocacy service programs for victims of domestic violence, dating violence, sexual assault and stalking, including strengthening assistance to such victims in immigration matters (Statutory Purpose Area);
- Demonstrate a commitment to strong enforcement of laws, and prosecution of cases, involving domestic violence, dating violence, sexual assault or stalking including the enforcement of protection orders from other States and jurisdictions (Priority Area);
- Involve faith-based and/or community-driven initiatives to address violence against women among diverse and traditionally underserved populations (Priority Area).



B. Abstract/Proposal Summary – limit 2 pages

The purpose of this proposal is to create a specialized subunit in the San Francisco District Attorney's Domestic Violence Unit for cases involving Limited English Proficient victims and create a training and policy partnership between the District Attorney's Office and a community-based collaboration, led by Asian Women's Shelter. This project will enable San Francisco to better serve LEP victims of domestic and dating violence and improve our prosecutors' ability to bring batterers of LEP victims to justice.

San Francisco is made up of a diverse array of populations, many of whom are Limited English Proficient (LEP). 26% of San Francisco residents speak one of the above Asian Pacific Islander (API) languages, and almost 60% of these report speaking English less than very well. Spanish speakers represent approximately 12% of the population of the City, and almost 47% of these people report not speaking English very well.

LEP victims of domestic and dating violence face both language and cultural barriers in trying to report domestic and dating violence, a situation that often leaves them more vulnerable to ongoing abuse and/or control by an abuser. Where LEP victims are willing to access the system, their limited language ability may stand in the way of prosecutors most effectively prosecuting their batterers.

Since 2000, San Francisco has been engaged in a broad-based reform of our domestic violence response system. While great progress has been made, critical gaps remain. A March 2007 Safety and Accountability Audit of the City's domestic violence system identified five critical system gaps and specifically highlighted the challenges that continue to face LEP victims.

Our prosecutors' success in engaging these victims is critical to successful prosecution of their batterers. The ability to speak with victims in the language most comfortable to them, and in a culturally competent manner, is critical to building and maintaining an effective and trusting relationship, thus simultaneously serving victims' needs and strengthening prosecution efforts.

The proposed project serves to address the identified need through five program components: (1) *Centralizing prosecution* of domestic and dating violence cases involving LEP victims by creating an LEP Subunit in the District Attorney's Domestic Violence Unit staffed by a bilingual prosecutor and victim advocates; (2) *Training within the District Attorney's Office* to ensure that prosecutors and victim advocates can work with LEP victims in a culturally competent manner; (3) *Training outside the District Attorney's Office*, including training other criminal justice agencies to work with LEP victims in a culturally competent manner and training community-based staff and their clients in order to demystify the legal system; (4) Developing and implementing community-informed *policies and procedures* for criminal justice agencies that work with LEP victims; and (5) Enhancing *direct services* for LEP victims through the establishment of a formal community-based collaborative of diverse organizations.

The goals of the proposed project are threefold: (1) Improve prosecution of domestic and dating violence involving LEP victims; (2) Improve the criminal justice system's support to LEP domestic and dating violence victims; (3) Enhance current community-based direct services for LEP domestic and dating violence victims. Moreover, the project will address specific recommendations of the Safety Audit – the most current, collaborative and comprehensive analysis of San Francisco's domestic violence response system. Finally, the project will create a mutually-informed supportive relationship between the criminal justice system and key community-based organizations that serve some of San Francisco's most vulnerable victims.

C. Status of the Current Project – Not Applicable

D. PURPOSE OF APPLICATION

*PROBLEM TO BE ADDRESSED:* The purpose of this proposal is to create a specialized subunit in the San Francisco District Attorney's Domestic Violence Unit for cases involving Limited English Proficient victims and create a training and policy partnership between the District Attorney's Office and a community-based collaboration, led by Asian Women's Shelter ("AWS"). This unit will enable San Francisco to better serve LEP victims of domestic and dating violence and improve our prosecutors' ability to bring batterers to justice.

Under the leadership of District Attorney Kamala D. Harris, the San Francisco District Attorney's Office (DA's Office) has made great strides in improving our ability to prosecute perpetrators of domestic violence, dating violence, sexual violence and stalking. From 2004-2007 (DA Harris's first term), our Domestic Violence Unit convicted over 1,100 DV offenders. The DA's Office increased the number of DV offenders brought to trial and have improved the unit's trial conviction rate from 35% in 2003 to 74% in 2007. The office collaborates in joint training sessions where District Attorney prosecutors and victim advocates receive training on domestic violence, dating violence, sexual assault and stalking. DA Harris has sponsored state and local legislation designed to support DV victims to come forward, including SB 1569 (now California Welfare & Institutions Code Section 13283), which established public benefits for immigrant DV victims, so they have food, medical and housing after coming forward and are not forced to return to an abusive household.

Since 2000, San Francisco has been engaged in a broad-based reform of our domestic violence response system. Following the tragic death of a young Filipino woman named Claire Joyce Tempongko – after the victim's repeated attempts to access services and protection – the City as worked to systematically address each of the gaps in the system that failed to protect her

and other victims. Support from the Office of Violence Against Women through a prior Grant to Encourage Arrest Policies award was critical to this work.

In 2005-2006, the City's Commission on the Status of Women and all criminal justice agencies, including the District Attorney's Office, decided to conduct a Safety and Accountability Audit ("Safety Audit") in order to assess the current state of the system. This audit was completed in March of 2007. The resulting report detailed five overarching gaps in safety and accountability that the Audit Team identified as bridging the entire criminal justice system response from 911 through probation and set forth a detailed blueprint for change.

One of the five overarching gaps identified by the Safety Audit is as follows: "Limited English Proficient (LEP) speakers who are victims of battering face multiple barriers at each stage of intervention, including limited access to interpretation, translated materials, pertinent information about criminal justice system processes, and culturally competent workers." The audit includes specific recommendations for this – and the four other – system gaps that the City currently is working to implement. Support from the Office of Violence Against Women for this proposal will enable San Francisco to implement a project that addresses five of the recommendations set forth in the Safety and Accountability Audit.

*PROJECT SERVICE AREA:* The City and County of San Francisco is the financial and cultural core of a metropolitan area of five and a half million people. The City covers an area of approximately 46 square miles and had a population of 744,041 in 2006 (U.S. Census Bureau Quick Facts). San Francisco is the only city-county government in California.

*TARGET POPULATION:* The target population for this proposal is Limited English Proficient domestic and dating violence victims in San Francisco. San Francisco is made up of a diverse array of populations, many of whom are Limited English Proficient (LEP). According to

the most recent U.S. Census (2006) estimates, the demographics of the City included 33% people of Asian descent, 14% of Hispanic or Latino descent, approximately 37% foreign born, and 46% spoke a language other than English at home (U.S. Census Bureau State & County Quick Facts). The six most common languages spoken in San Francisco other than English are: Chinese (Cantonese), Spanish, Tagalog, Russian, Vietnamese, and Japanese (U.S. Census Bureau, 2005 American Community Survey). According to this survey, 26% of San Francisco residents speak one of the above Asian Pacific Islander (API) languages, and almost 60% of these report speaking English *less than very well*. Spanish speakers represent approximately 12% of the population of the City, and almost 47% of these people report not speaking English very well.

In 2008, the District Attorney's Victim Services Division served approximately 3,000 victims, 23% of whom were victims of domestic and dating violence (674). Over one-third of those domestic and dating violence victims (240) were Asian/Pacific Islander or Latino.

*CURRENT SERVICES AND GAPS:* LEP victims of domestic and dating violence face both language and cultural barriers in trying to report domestic and dating violence, a situation that often leaves them more vulnerable to ongoing abuse and/or control by an abuser. Of the ten most recent domestic violence-related homicides in the City since 2000, at least four involved women from the non-dominant population. In addition to language accessibility issues, LEP victims also face a number of other barriers to accessing – and participating in – the criminal justice system, such as the ability to gather and understand information about the system in a non "legalese" manner. In addition, many LEP women may bring with them serious negative views of the police and legal processes based on their home country's often oppressive police forces. Abusers might also misinform women about the US police's conduct and behavior, which might be reinforced by the immigrant community's experiences with law enforcement in

non-domestic/dating violence situations or media reports. These barriers often lead to significant underreporting of domestic and dating violence, particularly among Asian/Pacific Islander victims; while Asian/Pacific Islander individuals make up 33% of San Francisco's population, they represent only of 13% of the domestic/dating violence victims who accessed the District Attorney's Victim Services Division in 2008.

Where LEP victims are willing to access the system, their limited language ability may stand in the way of prosecutors most effectively prosecuting their batterers. Even with an interpreter's assistance, the nuances of a victim's account of their experience might not reach the prosecutor, and the prosecutor's attempts to prepare the victim to testify might similarly suffer. Moreover, in many cases where the victim is LEP, prosecutors often find that witnesses to the incident (neighbors, relatives) are also LEP, which further complicates the prosecutor's ability to build his or her case.

Our prosecutors' success in engaging these victims is critical to successful prosecution of their batterers. The Supreme Court's decision in *Crawford v. Washington* (124 S.Ct. 1354 (2004)) requires prosecutors to bring victims to the stand in domestic violence cases. The impact of *Crawford* is further complicated by a 2008 California law, SB 1356 (now Code of Civil Procedure Section 1219) that prevents a court from incarcerating victims of domestic violence who are found in contempt for refusing to testify. While San Francisco has rarely used contempt findings against domestic violence victims, the combined effect of *Crawford* and this new law underscores the need of our prosecutors to work even harder to create a trusting relationship with our victims and bring them to the stand as effective witnesses. The ability to speak with victims in the language most comfortable to them, and in a culturally competent manner, is critical to

building and maintaining this relationship, thus simultaneously serving their needs and strengthening prosecution efforts.

The Safety Audit identified a number of system gaps that are particular to LEP domestic violence victims as well as gaps that are particular to the District Attorney's Office. Key findings that will be addressed by the proposed project include:

- (1) Address insufficient interpretation/translation services across all criminal justice systems;
- (2) Improve linkages between community-based organizations and City departments/agencies to ensure culturally appropriate services and support, particularly regarding LEP domestic violence victims;
- (3) Establish a written protocol within all criminal justice system departments for working with LEP victims that takes into account their differential needs...such protocol should be developed in conjunction with community-based organizations that have a history of working with LEP domestic violence victims;
- (4) Establish ongoing and regularly updated cultural competency training in all criminal justice system departments in conjunction with community-based organizations that have a history of working with LEP domestic violence victims; and
- (5) Within the District Attorney's Office, create domestic violence training DVDs to be distributed to each police station and the Department of Emergency Management with updates on domestic violence legislation, guidelines for taking photographs and collecting other forms of evidence.

***HOW PROJECT COMPLEMENTS CALIFORNIA STOP VIOLENCE AGAINST WOMEN***

***IMPLEMENTATION PLAN:*** California currently uses its STOP Violence Against Women Formula Grant to fund a number of priorities that are complemented by the proposed project,



such as the Violence Against Women Vertical Prosecution Program. The Governor's Office of Emergency Services has identified four mandatory objectives for projects funded under the Vertical Prosecution Program: increased prosecution and conviction rates of violent crimes against women; achieve vertical prosecution standards; reduce specialized caseloads; and ensure minimization of trauma to victims of specified crimes as measured in advocate employee direct services or referrals to local victim service agencies.

The proposed project achieves each of these objectives. By improving the SFDA's ability to work with LEP victims, the project will increase prosecution and conviction rates. The project will support San Francisco's current domestic and dating violence vertical prosecution model and will enable the LEP prosecutor to carry an appropriately-sized specialized caseload. Finally, the project will enhance the ability of the SFDA's victim services division to support LEP domestic and dating violence victims while strengthening its referral connections to local victim service agencies. Moreover, California's Plan specifically identifies ethnic and cultural minorities as significantly underserved populations. The proposed project proposal directly addresses the needs of these populations.

San Francisco's GTEAPP proposal also aligns with California's STOP Plan because it addresses the top service priorities identified in the VAWA Service Priority Study: client centered and personal approaches, more support/ advocacy to navigate and access legal and service systems, community-based services, collaboration with non-traditional groups to meet the needs of underserved communities, technical assistance and training focused on underserved communities, and capacity-building to address emerging needs and concerns.

*HOW PROJECT COMPLEMENTS OTHER OVW GRANTS:* The City & County of San Francisco has not applied and is not applying for multiple OVW grants at this time. Asian

Women's Shelter, our nonprofit partner in this grant, is a current grant recipient of the Office on Violence Against Women Technical Assistance Program. Through that grant, AWS works with community-based providers serving underserved communities across the country, providing them with intensive training and technical assistance to work with victims of domestic violence and the criminal justice system. We believe that the policies and trainings that we create through this grant can be incorporated into the training and technical assistance that AWS provides through its OVW TA project to other jurisdictions throughout the nation, further enhancing the grant's impact. Moreover, the proposed project directly builds on prior Grants to Encourage Arrest Policies awards to San Francisco, which enabled the City to engage in the systemic reform process that led to the Safety and Accountability audit and to enhance awareness, prevention and intervention services for Asian & Pacific Islander domestic violence victims.

#### E. WHAT WILL BE DONE

*GOALS, OBJECTIVES, TASKS & ACTIVITIES:* The goals of the proposed project are threefold: (1) Improve prosecution of domestic and dating violence involving LEP victims; (2) Improve the criminal justice system's support to LEP domestic and dating violence victims; (3) Enhance current community-based direct services for LEP domestic and dating violence victims.

These goals will be met through the following five objectives: (1) *Centralizing prosecution* of domestic and dating violence cases involving LEP victims by creating an LEP Subunit in the District Attorney's Domestic Violence Unit staffed by a bilingual prosecutor and victim advocates; (2) *Training within the District Attorney's Office* to ensure that prosecutors and victim advocates can work with LEP victims in a culturally competent manner; (3) *Training outside the District Attorney's Office*, including training other criminal justice agencies to work with LEP victims in a culturally competent manner and training community-based staff and their

clients in order to demystify the legal system; (4) Developing and implementing community-informed *policies and procedures* for criminal justice agencies that work with LEP victims; and (5) Enhancing *direct services* for LEP victims through the establishment of a formal community-based collaborative of diverse organizations. Each component is described in further detail below.

(1) *Centralizing Prosecution.* The District Attorney's Office will create a specialized subunit in the District Attorney's Domestic Violence Unit to prosecute batterers in cases where the victim is LEP ("LEP DV Subunit"). The LEP DV Subunit will be staffed by 1.0 FTE bilingual Prosecutor who will be fluent in either Spanish or an Asian language and 2 0.5 FTE bilingual Victim Advocates, one of whom will be fluent in Spanish the other of whom will be fluent in an Asian language. This subunit will carry a caseload comprised of LEP domestic and dating violence cases, including Motions to Revoke of current probationers where the new offense involves domestic or dating violence. Consistent with current Domestic Violence Unit caseloads, the LEP DV prosecutor will carry approximately 23 cases at any given time. The Victim Advocates will work closely with the Prosecutor to communicate with clients, prepare and support them to testify. The Victim Advocate will also be available to the Prosecutor to communicate with LEP witnesses.

(2) *Training District Attorney Staff.* The strength of the new LEP DV Subunit will depend not only upon the prosecutor's and victim advocates' skills (trial skills and victim advocacy) and their linguistic fluency, but also their ability to approach LEP victims in a culturally competent manner. A key part of the proposed project will be formal collaboration between the District Attorney's Office and AWS to develop a training program for the new Subunit, as well as for the larger District Attorney's Office staff. AWS will work with District Attorney staff and three

nonprofits with expertise in serving LEP domestic and dating violence victims – as well as its own nationally-recognized expertise and training experience – to create a training program that includes the following: (a) intensive training for the LEP DV Subunit, followed by quarterly training sessions; and (b) two training sessions available to all District Attorney staff, including both prosecutors and victim advocates. Nonprofits that have committed to collaborate with AWS on this project include Asian Pacific Islander Legal Outreach, Donaldina Cameron House (serving Chinese and Vietnamese women), and Mujeres Unidas y Activas (serving Latino women). Training will address culturally competency, use of interpreters, and community collaboration in working with LEP victims of domestic and dating violence.

*3. Training Criminal Justice Agencies and Community Organizations.* A key recommendation of the Safety Audit was the need for better communication and collaboration between San Francisco's criminal justice agencies and community-based domestic violence service providers. In addition, the Audit recommended that District Attorney staff provide domestic violence-related trainings other criminal justice agencies.

The proposed project seeks to address this gap by providing appropriate training to both criminal justice agencies and community organizations. District Attorney staff and AWS will work together to create three training sessions for other criminal justice agencies: evidence collection in domestic and dating violence cases, relevant legislation, and working with LEP domestic and dating violence victims. These sessions will be offered live and recorded on DVD. In addition, District Attorney staff will provide semi-annual training sessions on-site at community-based organizations that serve LEP domestic and dating violence victims. These sessions will focus on the cross-collaboration teamwork, criminal justice system and victims' rights and be directed to both service providers and their clients with an emphasis on

demystifying the criminal justice system. Finally, as we formalize our new model, the District Attorney's Office and AWS will work to identify other venues for presenting our work, such as conferences/ forums through the California District Attorney's Association, National Coalition Against Domestic Violence, National Network to End Violence Against Immigrant Women, and through AWS's work with other OVW technical assistance providers.

4. *Policies and Procedures.* Another Safety Audit recommendation addressed the need for criminal justice agencies to develop formal policies for working with LEP victims. Through this project District Attorney staff and AWS will collaborate to draft a District Attorney's Office protocol for working with LEP victims, which will be shared with all San Francisco criminal justice agencies.

As project staff works to meet the recommendations in the Safety Audit, the team will need to coordinate with Safety Audit staff at the San Francisco Department on the Status of Women. This will be achieved at quarterly project meetings that will be attended by a staff member from the Department on the Status of Women.

5. *Enhancing Direct Services.* The proposed project seeks to expand San Francisco's current community-based services for LEP domestic and dating violence victims by providing additional staff capacity at nonprofits with experience and expertise in working with the target population. As the lead nonprofit partner on the project, AWS will collaborate with three other organizations – Asian Pacific Islander Legal Outreach, Donaldina Cameron House (serving Chinese and Vietnamese women), and Mujeres Unidas y Activas (serving Latino women) – to provide a range of services, including emergency shelter, counseling, advocacy, support groups and legal information, including immigration law and family law. These providers will take referrals directly from the District Attorney's new LEP DV Subunit. Moreover, given the wide

underreporting of domestic and dating violence in LEP communities, these providers will play a critical role in working with LEP victims who have not participated in the criminal justice system and encouraging them to engage with the District Attorney's office.

*TIMEFRAME:*

Months 1-3:

- The District Attorney's Office, AWS and its community partners will hire or reassign staff to the project.
- DA's LEP DV Subunit will establish LEP-specific caseload of domestic and dating violence cases (to continue through month 24).
- Quarterly Project Implementation Team meetings begin and continue through month 24. Team includes DA staff, AWS, Department on the Status of Women and Mayor's Office.

Months 4-6:

- AWS and its community partners will develop training curriculum for DA staff, provide intensive training to the LEP DV Subunit staff and begin quarterly trainings for Subunit (to continue through month 24).

Months 7-12:

- DA Subunit staff and AWS will offer one training session for District Attorney's Office staff.
- DA Subunit staff will provide one training session at a community-based organization.
- DA Subunit staff and AWS will develop and provide one training session for other San Francisco criminal justice agencies.
- DA Subunit staff and AWS will draft preliminary District Attorney Office protocol for working with LEP victims.

Months 13-18:

- DA Subunit staff and AWS will develop and provide second training for other San Francisco criminal justice agencies.

- DA's Office will finalize protocol for working with LEP victims and share protocol with other San Francisco criminal justice agencies.

Months 19-24:

- DA Subunit staff and AWS will offer second training session for District Attorney's Office staff.
- DA Subunit staff will provide second training session at a community-based organization.
- DA Subunit staff and AWS will develop and provide third training for other San Francisco criminal justice agencies.

*HOW FUNDING WILL ENHANCE EXISTING PROJECTS:* On a local level, the proposed project will enable San Francisco to address critical gaps identified in the Safety Audit, which is the most current, collaborative and comprehensive analysis of the City's domestic violence response system.

On a statewide level, the proposed project will yield a new model for prosecution, training and collaboration that is relevant to all jurisdictions that have diverse populations. This project is particularly timely in light of the passage of SB 1356 (see p. 8 above), which will require prosecutors to rethink their approach to working with victims and engage community-based service providers in new partnerships.

On a national level, the project will enhance AWS's OVW Peer-2-Peer Technical Assistance grant by creating new material that will be incorporated into the existing training curriculum and technical assistance provided to sites across the country through that grant.

*TANGIBLE PRODUCTS THAT WILL BE GENERATED:* The proposed project will yield the following tangible products, all of which will be made available to prosecutors and community-based service providers in San Francisco and other jurisdictions: (1) AWS's cultural



competency training curricula for prosecutors (written product); (2) Three training sessions by District Attorney staff for other criminal justice agencies regarding evidence collection in domestic violence cases, relevant legislation, and working with LEP domestic and dating violence victims (DVD product); (3) District Attorney protocol for working with LEP victims (written product).

#### F. WHO WILL IMPLEMENT THE PROJECT

*RESPONSIBLE AGENCIES/OFFICES:* (1) San Francisco District Attorney's Office; (2) Asian Women's Shelter; (3) San Francisco Department on the Status of Women; (4) San Francisco Mayor's Office.

*PROJECT PARTNERS' ROLES, RESPONSIBILITIES* are set forth in detail in the accompanying Memorandum of Understanding and are summarized below.

(1) *San Francisco District Attorney's Office:* Role: To prosecute perpetrators of domestic and dating violence against LEP women and provide LEP victims with support throughout the court process and access to victim compensation; to develop and provide relevant training to criminal justice agencies and community-based organizations; to develop protocols to improve the criminal justice system's protection of LEP victims. Responsibilities: (a) Establish a Limited English Proficient subunit in the Domestic Violence Unit ("LEP DV Subunit") staffed by a bilingual prosecutor and bilingual victim advocates in collaboration with community-based organizations serving LEP victims, led by AWS; (b) Develop training for other criminal justice agencies and community-based service providers to increase cultural competency among criminal justice agencies and demystify the criminal justice system for LEP service providers and their clients; (c) Develop protocols for working with LEP victims; (d) Collect data required for grant reporting.

(2) *Asian Women's Shelter*: Role: To develop and coordinate training curriculum for the District Attorney's Office to improve its work with LEP victims of domestic and dating violence, to support the District Attorney's efforts to develop appropriate protocols for working with LEP victims, and to provide direct services to LEP victims of domestic and dating violence.

Responsibilities: (a) Engage other community-based organizations with expertise in working with LEP domestic and dating violence victims, including Asian Pacific Islander Legal Outreach, Donaldina Cameron House and Mujeres Unidas y Activas; (b) Develop and present training sessions as specified in the above timeline; (c) enhance direct services to LEP victims served by the District Attorney's LEP DV Subunit.

(3) *San Francisco Department on the Status of Women*: Role: To ensure that the project activities are coordinated with and in furtherance of the San Francisco Safety and Accountability Audit. Responsibilities: Attend quarterly Project Team meetings and ensure that project activities are in furtherance of the San Francisco Safety and Accountability Audit.

(4) *San Francisco Mayor's Office*: Role: To monitor grant activities and provide fiscal and program reports to the Office on Violence Against Women. Responsibilities: Attend quarterly Project Team meetings and submit required program and fiscal reports to the Office on Violence Against Women.

**COLLABORATIVE RELATIONSHIPS TO BE ENHANCED**: The District Attorney's Victim Services division has worked with AWS since AWS opened its doors in 1988 and has maintained an ongoing collaborative relationship over time. The District Attorney's Office is a partner in AWS's OVW Technical Assistance grant, and AWS staff have worked on-site in the District Attorney's Victim Services office. The proposed project will bring this collaborative relationship to a new level by moving the partnership beyond the walls of the District Attorney's

Victim Services division and into its prosecutor's offices so that AWS and its community partners directly inform the way that prosecutors work with LEP victims.

Similarly, AWS and its Asian/Pacific Islander community-based partners have a long-established history of collaborative work together. Since 1994, AWS, APILO, and Cameron House have shared funding, developed and implemented a collaborative advocacy program to serve the legal, shelter and social service needs of survivors. In 2004 APILO, Cameron House and AWS established the Asian Anti-Trafficking Collaborative to address human trafficking in the SF Bay area. The proposed project will enable these organizations to deepen their partnership and work together to improve the way that the District Attorney's Office prosecutes cases and works with LEP victims.

While Mujeres Unidas y Activas has worked alongside these organizations for almost twenty years, it has not been as formally involved with the other collaborative partners. This project presents a significant opportunity to bring together API domestic violence providers with this group, which serves Latino women, to work together to improve the system for all LEP victims.

*EXPERTISE AND EXPERIENCE OF KEY STAFF:* Within the District Attorney's Office, the project will be staffed by highly qualified, experienced prosecutors and advocates. *James Rowland, Managing Attorney of the Domestic Violence Unit*, has been practicing criminal law for nearly 30 years. Mr. Rowland also served as a managing attorney in the Mendocino County District Attorney's Office. During that time, he tried over 100 cases to a jury. Since 2001, Mr. Rowland has been a prosecutor in the San Francisco District Attorney's Office.

*Maria Bee, Chief of the Victim Services Division*, has a decade of experience as a prosecutor and has been the Chief of Victim Services and a member of the District Attorney's Executive Team for three years, during which she has led a team of 28 staff members, participated in

statewide and national conferences and monitored diverse public and private grants supporting the office's victim services work, including prior awards from the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. Ms. Bee participates actively in the San Francisco Family Violence Council and Domestic Violence Consortium.

Since opening as a local shelter program in 1988, Asian Women's Shelter has been at the forefront in direct service, prevention, and community organizing to end domestic violence in the Asian and Pacific Islander communities. Since opening, AWS has developed a philosophy and program structure that can meet the needs of other underserved populations, and address the intersection of those issues (for example, meeting the needs of immigrant survivors with disabilities and the Asian Pacific Islander LGBT community). Since 1991, AWS has been one of the first and only domestic violence shelters in the nation with a dedicated component to address same gender relationship violence in LGBT communities. For the past two years, as part of a statewide effort, AWS has participated in an intensive training and TA project to increase access to domestic violence shelters for the underserved populations of people with disabilities, LGBT communities, people with mental health issues, and people with substance abuse issues.

As the organization's founder and *Executive Director, Beckie Masaki*, has twenty years of experience building AWS into a national model with a long, demonstrated commitment to sharing information, resources, and funding in collaboration with community members, organizations and institutions. Ms. Masaki has developed and continues to provide on-going implementation of the shelter program and services for battered women and children, with a special focus on the needs of non-English speaking immigrant survivors of domestic violence. She is responsible for all agency fiscal, program and administrative management and development, represents the agency on local, state, national and international levels and

promotes networking and cooperative services with other organizations. OVW has recognized AWS as a leader in the field by awarding the organization a grant through its Office on Violence Against Women Technical Assistance Program since 2001. Through that grant, AWS has provided technical assistance to over twenty organizations across the county.

In addition to Ms. Masaki, AWS has two additional training staff with extensive expertise to contribute to this project. *Hediana Utarti* has worked at AWS since 2000, and has over ten years of experience in anti-violence against women work in Indonesia, Hawaii and San Francisco. She participated in the multidisciplinary Safety Audit review team in San Francisco, and represents AWS at the SF Domestic Violence Consortium. She is on the board of the National Coalition Against Domestic Violence. She has been instrumental in creating support programs for culturally diverse survivors of domestic violence, providing technical assistance to agencies across the country, as well as in Japan and Indonesia, and in organizing within queer immigrant women's communities. She received her Ph.D. in Political Science, and is fluent in Indonesian and English. *Orchid Pusey* has worked at AWS since 2001. She is the coordinator of AWS's OVW TA project and has extensive expertise in curriculum development, training and technical assistance. She is also the coordinator for AWS's digital storytelling project, and the national network of API lesbian, bisexual, queer women's and transgender activists and advocates addressing relationship violence within queer communities. In addition to her leadership at AWS, she has held key leadership positions at the Center for Third World Organizing, Coalition Against Sexual Violence and Take Back the Night Organizing Committee in Cambridge, MA, and the Prisoner Education Program at the Suffolk County House of Corrections in Boston, MA. She speaks fluent Mandarin and English, and proficient Russian.

*INFORMATION SHARING:* Information sharing and confidentiality – and clarity around these issues – are a critical component to a strong collaboration between the criminal legal system and community-based domestic violence service providers. In California, a victim of domestic violence's communication with a qualified domestic violence counselor is protected by both confidentiality and privilege. However, a victim's communication with a member of the District Attorney's Victim Services staff is not privileged. This distinction can be confusing for all victims, but particularly for LEP victims. It is essential for them to be able to fully understand their rights and make informed decisions about how they share information. This issue will be incorporated into the District Attorney's protocol for working with LEP victims.

This project includes victim advocates from community-based organizations, victim advocates within the DAs Office, and legal advocates from community-based legal services. All work together to provide comprehensive support for survivors of domestic violence, sexual assault, dating violence and stalking, yet a key element to the success of our collaborative efforts is the clear distinction of victim advocate roles, especially as it related to confidentiality and privileged communication. The coordination of advocates within and outside the criminal legal system gives survivors the broadest range of support, both within the DAs office and in the community.

Community-based advocates at Asian Women's Shelter, Cameron House, and Mujeres Unidas y Activas are qualified domestic violence counselors as defined by the California Evidence Code, and therefore survivors working with advocates in these programs have privileged communication. Community-based legal advocates at APILO uphold attorney-client privilege with survivors. The organizations protect confidential information through strict protocols and safety measures. Advocates at each agency work together with clients to help

them to share necessary information directly, and also educate clients about the dangers of information sharing, especially regarding technology such as the internet, databases, cell phones, and GPS systems. The community-based advocates do not share privileged client information with victims advocates in the DAs office, but focus on fostering direct communication with survivors, and supporting survivors to make informed decisions. This issue will be incorporated into the District Attorney's protocol for working with LEP victims.

### SUSTAINABILITY PLAN

San Francisco is committed to ensuring that our criminal justice and domestic violence response systems continue to improve their responsiveness to LEP victims. The products created through this grant – training curricula, training DVDs and written protocol – are directly responsive to critical needs identified by the City and will have an enduring role in our City's system. The District Attorney's Office is committed to continuing to train its staff on cultural competency on an ongoing basis, and to working with community providers to maintain the collaborative relationships that will be strengthened by this project.

Given the current economic climate it is unrealistic to commit that the positions requested for this project will be sustained on an ongoing basis. However, our intent is that we will be able to identify local or private funds to maintain them at the conclusion of the project term.

