

Grants to Improve the Criminal Justice Response Program

Certification of Eligibility Letters

Samples & Instructions

Instructions:

- All applicants must submit **three** “Certification of Eligibility” letters, unless the applicant is a court, in which case, the applicant must submit **one** “Certification of Eligibility” letter.
- Each letter must be submitted on the letterhead of the governmental agency (state, tribe, or unit of local government, or court) appropriate to the service area.
- The Chief Executive Officer of the governmental agency **must** sign each letter.
 - “Chief Executive Officer” means the highest official of a state, tribe, local jurisdictions, or court.
 - Examples of Chief Executive Officers: Governor for a state applicant; Mayor or County Executive for a unit of local government; or Tribal Chairperson for a tribal government applicant.
 - Other government officials such as the District Attorney or Attorney General are **not** considered the Chief Executive Officer.
- Victim service providers or state coalition applicants **cannot** submit letters from a court, nor can they submit the letters on their own letterhead. Victim service provider or state coalition letters must be from their respective state, tribe, or unit of local government partner on government agency letterhead with the “Chief Executive Officer’s” signature.
- Applicants must ensure that all language in the letter accurately reflects what is required in the solicitation, and is consistent with the laws, policies, or practice of the governmental entity.
- Use of the template letters is highly encouraged, but applicants must ensure accuracy.

ICJR Certifications of Eligibility (COE) Template Guide

1) **For States, Indian Tribal Governments, or Units of Local Government:**

- All **three (3)** COE letters are required. Samples of each are available below.
- When writing the letters, applicants should choose the sample based upon whether their jurisdiction:
 - A) is currently in compliance, or
 - B) will come into compliance.
- Each letter must be submitted on the letterhead of the governmental agency (state, tribe, or unit of local government)

2) **For Victim Service Providers or DV/SA State Coalitions:**

- All 3 COE letters are required. Samples of each are available below.
- *The letter must be completed and signed by the state, Indian tribal government, or unit local government partner.*
- Applicants should choose the sample based upon whether their jurisdiction:
 - A) is currently in compliance, or
 - B) will come into compliance.

3) **For State courts, Local courts, or Juvenile Courts:**

- Only **one (1)** COE letter is required. A sample is available below.
- Applicants should choose the sample based upon whether their jurisdiction:
 - A) is currently in compliance, or
 - B) will come into compliance.

SAMPLE ICJR CERTIFICATION OF ELIGIBILITY (#1 of 3)

For States, Indian Tribal Governments, or Units of Local Government

OR Victim Service Providers or Domestic Violence or Sexual Assault State Coalitions

IS CURRENTLY IN COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Grants to Improve the Criminal Justice Response Program Certification of Eligibility

Dear Director:

As Chief Executive Officer of **[state, tribe, or jurisdiction name]**, I certify that:

1. The laws or official policies of **[the jurisdiction]**:
 - a. encourage arrests of domestic violence, dating violence, sexual assault, and stalking offenders based on probable cause that an offense has been committed;
 - b. encourage arrests of offenders who violate the terms of a valid and outstanding protection order;
2. The laws, policies, or practices and the training programs of **[the jurisdiction]** discourage dual arrests of offender and victim;
3. The laws, policies, or practices of **[the jurisdiction]** prohibit issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense;
4. The laws, policies, and practices of **[the jurisdiction]** do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, dating violence, or stalking, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, modification, enforcement, dismissal or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction;
5. The laws, policies or practices of **[the jurisdiction]** ensure that:
 - a. no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling

device as a condition for proceeding with the investigation of, trial of, or sentencing for such an offense; and

- b. the refusal of a victim to submit to an examination described in subparagraph (a) shall not prevent the investigation of, trial of, or sentencing for the offense.

Sincerely,

Name

Title [Chief Executive Officer]

SAMPLE ICJR CERTIFICATION OF ELIGIBILITY (#1 of 3)

For States, Indian Tribal Governments, or Units of Local Government

OR Victim Service Providers or Domestic Violence or Sexual Assault State Coalitions

WILL COME INTO COMPLIANCE

[Government Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street, NE
Suite 10 W.121
Washington, DC 20530

Re: Grants to Improve the Criminal Justice Response Program Certification of Eligibility

Dear Director:

As Chief Executive Officer of **[state, tribe, or jurisdiction name]**, I submit this letter to certify **[state, tribe, or jurisdiction name]** will come into compliance to the following by the end of the next legislative session which will take place between **[beginning to end date of the legislative session]**:

1. the laws or official policies of **[the jurisdiction]**:
 - a. encourage arrests of domestic violence, dating violence, sexual assault, and stalking offenders based on probable cause that an offense has been committed;
 - b. encourage arrests of offenders who violate the terms of a valid and outstanding protection order;
2. the laws, policies, or practices and the training programs of **[the jurisdiction]** discourage dual arrests of offender and victim;
3. the laws, policies, or practices of **[the jurisdiction]** prohibit issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense;
4. the laws, policies, and practices of **[the jurisdiction]** do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, dating violence, or stalking, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, modification, enforcement, dismissal or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction;
5. the laws, policies or practices of **[the jurisdiction]** ensure that:
 - a. no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling

device as a condition for proceeding with the investigation of, trial of, or sentencing for such an offense; and

- b. the refusal of a victim to submit to an examination described in subparagraph (a) shall not prevent the investigation of, trial of, or sentencing for the offense.

Sincerely,

Name

Title [Chief Executive Officer]