

**MINUTES  
PUBLIC SAFETY COMMISSION  
JUNE 4, 2013  
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on June 4, 2013. Attending the meeting were Chairman Cynthia Leon, Commissioners Allan Polunsky and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

**Call to Order** (0:00:01)

The meeting was called to order by Chairman Leon at 9:05 a.m. Proper notice had been posted.

**Approval of Minutes** (0:00:53)

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving the minutes as submitted for April 16 and 17, 2013. Motion passed unanimously.**

**Public Comment** (0:01:24)

Edward Seidenberg, Interim Director, Texas State Library & Archives Commission, presented a commemorative resolution to DPS for providing transportation of the Travis (1836 Victory or Death) letter exhibition at the Alamo.

Gary Chandler, President of DPSOA, reported that all current employees are grandfathered into the new retirement plan effective September 1, 2013, and report of the trooper pay increase. He expressed his thanks to the Public Safety Commission and executive staff of DPS for a successful session and for their assistance provided to DPSOA.

**Director's Report** (0:09:35)

**A. Presentations**

**ASIS International – Officer of the Year Award**

Timothy Upright

**Directors Citation and Life Saving Award**

Darren Lubbe

**Purple Heart**

Troy W. Clark

**Unit Citation**

ICT Field Support Unit, Region 5 – Becky McNiel, Robin Ramirez, Jennifer Taylor, Angela Warden and Jennifer-Marie Woody

**Service Awards**

David E. Rose – 40 years

Alex W. Alexander – 35 years

Larry L. Allen – 30 years

Victor J. Combs – 30 years

Michael W. McClain – 30 years

Frank “Trey” Pellizzari – 30 years

**B.Report on 83<sup>rd</sup> Legislative Session – Significant Outcomes (0:35:35)**

- Trooper Pay – 10% increase over next two years
- Increase of state funds by 16% (\$1.5 billion); least session was as 14%
- Driver License Performance – delegation authority of driving test
- Crime Laboratory Service – funded \$8.75 million (additional 25 FTEs) for drug and alcohol analysis – funded \$10.9 million over biennium for testing of untested sexual assault kits and entering all applicable suspect profiles into CODIS
- Controlled Substance & Blood Alcohol Testing (as of 5/1/13) – average age of cases is 182 days
- CHL applications – spiked increase in demand occurred in 2012
- Active CHL holders – Florida leads and Texas is second
- Regulatory Crime Services – controlled substances (prescription drug database for doctor inquiries and entered into Memorandums of Understanding with the Drug Enforcement Agency task forces)

Commissioner Polunsky and Chairman Leon recognized Director McCraw for his accomplishments this session regarding the passing of landmark bills (trooper pay and retention of retirement benefits) as he was the driving force to make this happen.

**Reports (0:55:05)****D.Division status reports on activities and action****Government Relations**

Candace Nolte reported we are currently in special session (redistricting) and it ends on June 25, 2013. She highlighted bills of interest:

- HB 912 (Gooden/Estes) – requires DPS to adopt rules and guidelines for the use of an unmanned aircraft by a law enforcement authority in this state

- SB 1705 (Campbell/Parker) – allows County Assessor-Collector to issue renewal and duplicate driver licenses, electronic identification certificates and personal identification certificates
- HB 3805 (Gonzalez/Schwertner) – removal of discharge appeal for non-commissioned employees effective September 1, 2013
- HB 2100 (Thompson/Williams) – Trooper Pay – authorizes DPS pay employees classified as Trooper Trainees, Probationary Troopers and Trooper I's (Salary Schedule C) 10% over the next biennium.
- HB 1349 (Larson/Campbell) – DPS will not require the applicant's social security number as part of an application for a concealed handgun license
- HB 2305 (Watson/Eddie Rodriguez) – prohibits inspection stations from issuing passing vehicle inspection reports for vehicles equipped with a compressed natural gas container unless certain requirements are made and requires DPS and DMV to replace the current dual inspection/registration sticker system with a single registration sticker
- SB 17 (Patrick/Fletcher) – establish and maintain a training program in school safety and the protection of students for employees of a school district or an open-enrollment charter school who hold a concealed handgun license issued by DPS
- SB 1857 (Estes/Geren) – school safety training to be provided by CHL instructors
- HB 3412 (Flynn/Estes) – promotional process for Texas Rangers
- HB 250 (Doug Miller/Estes) – designation of a segment of IH 35 as the Trooper Randy Vetter Memorial Highway
- HB 442 (Munoz/Hinojosa) – designation of a portion of US Highway 83 as a memorial to Trooper Eduardo Chavez
- HB 1238 (Price/Seliger) – designation of a portion of US Highway 287 in Sherman and Dallam Counties as the Trooper Bobby Steve Booth Memorial Highway
- June 16, 2013 is the last day for governor to sign/veto bills
- August 26, 2013 – bills without specific cut off dates, will automatically cut off on this date

### **New Business** (1:04:08)

#### **A.Report, discussion and possible action on Performance Appraisal Plan**

Director McCraw reported on the new Performance Appraisal Plan

- Defines necessary competencies, job duties and performance expectations
- Plans created for all 102 positions

#### **B.Report, discussion and possible action on Texas Ranger Museum and Hall of Fame resolution**

General Counsel Adkins presented the resolution giving permission to coordinate events for the Texas Ranger Bicentennial. There is no financial obligation with this resolution.

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving the Texas Ranger Museum and Hall of Fame Resolution. Motion passed unanimously.**

C.Report, discussion and possible action of IT Division Staff Augmentation Plan for FY2014

This item will be postponed until the August meeting to include the budget.

D.Discussion and possible action on proposals made pursuant to Government Code, Section 2001.039, Agency Review of Existing Rules for publication to receive public comment:

1.Proposed amendments to Chapter 7, 37 TAC Sections 7.3, 7.11-7.13, 7.42 and 7.43, concerning Texas Division of Emergency Management (name change from Governor's Division of Emergency to Texas Division of Emergency Management)

**A motion was made by Commissioner Polunsky seconded by Commissioner Watson approving proposed amendments to Chapter 7 for publication. Motion passed unanimously.**

2.Proposed amendments to Chapter 21, 37 TAC Section 21.5 and Section 21.9, concerning Equipment and Vehicle Safety Standards (safety change for towing vehicles)

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving proposed amendments to Chapter 21 for publication. Motion passed unanimously.**

3.Proposed amendments to Chapter 28, 37 TAC Sections 28.1, 28.7, 28.24, 28.61-28.67, 28.109 and 28.130, concerning DNA, CODIS Forensic Analysis, and Crime Laboratories (names, email addresses and phone number changes/updates)

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving proposed amendments to Chapter 28 for publication. Motion passed unanimously.**

E.Report, discussion, and possible action on amendments to Driver License Rule for publication to receive public comment: 37 TAC Section 15.142, concerning Agreement to Purchase Driver Record Information (authority to enter into a pilot program passed during last legislative session – driver record monitoring program)

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving amendments to Driver License Rule 15.142 for publication. Motion passed unanimously.**

F.Report, discussion and possible action on appointment of Inspector General (deliberation anticipated in Executive Session)



**Adjourn Into Executive Session** (1:27:40)

The Commission adjourned into Executive Session to discuss security issues, to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the Director's action of discharging employees as identified in this agenda; ongoing criminal investigations. Executive Session began at 10:33 a.m.

(1:28:51) The Public Safety Commission reconvened this open session at 1:12 p.m. Commissioners present were Chairman Leon, Commissioners Allan Polunsky and Randy Watson.

Chairman Leon announced the appointment of Rhonda Fleming as the new Inspector General. **A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving the appointment of Rhonda Fleming as Inspector General. Motion passed unanimously.**

Commissioner Watson and Commissioner Polunsky commended Commissioner Brown for overseeing the 70+ applications received for this posting and making a sound recommendation.

Director McCraw acknowledged the presence of John Wielmaker (Legislative Budget Board) and Gretchen Essell (office of Senator Craig Estes) during the Public Safety Commission meeting.

Chairman Leon also acknowledged and thanked Kent Radney for his role as Interim Inspector General.

**Ongoing Business** (1:34:26)

**A.Report by Administration and Finance Committee**

Commissioner Barth was not in attendance to provide report.

**B.Report, discussion and possible action on the Annual Year 2014 Operating Budget**

AD Hudson reported they are working on a Zero-Based Budget for four categories, which make up 84% of the budget (salaries, professional fees, capital and other operating expenses). Report will be submitted at the August meeting.

Director McCraw commended AD Hudson and her staff for their exceptional work during the legislative session.

C.Report, discussion and possible action regarding Commission requests for additional auditing to be performed by the Chief Auditor's Office. Updates regarding status of recent CAO activity

-The Austin Chapter of the Institute of Internal Auditor's named DPS' Chief Auditor's Office as the 2012-2013 Employer of the Year

-Semi-Annual Follow-Up Report – evaluate the status of corrective actions for 173 open recommendations – 39.5 reported issues have been closed

-We received the draft report from the State Auditor's Office on the contract management audit and they stated we significantly performed several planning, procurement, formation and oversight activities for two contracts

D.Update report, discussion and possible action regarding recruitment

-A-2013 graduation is scheduled for July 3<sup>rd</sup> at the LBJ Auditorium with 109 recruits (11% attrition rate, lowest since 2010)

-55 currently approved for B-2013 class that will begin July 14, 2013

-78 applications in background checks

-82 applications in Fast Track

-160 applications in process for testing and backgrounds

E.Discussion and possible action of proposals made pursuant to Government Code Section 2001.039, Agency Review of Existing Rules as previously published;

1.Amendments to Texas Highway Rule, 37 TAC Section 3.57, concerning Traffic Warrant Service no public comment received

2.Repeal of Texas Highway Patrol Rule, 37 TAC Section 3.28 concerning Citation Disposition Receipt Program and Texas Highway Patrol Rule, 37 TAC Section 3.61 concerning Safety Responsibility Activities no public comment received

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving amendments to Texas Highway Rule 3.57 and repeal of Texas Highway Patrol Rules 3.28 and 3.61. Motion passed unanimously.**

3.Amendments to Breath Alcohol Testing Rules, 37 TAC Sections 19.1, 19.2, and 19.4-19.6 concerning Breath Alcohol Testing Regulations no public comment received

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving amendments to Breath Alcohol Testing Rules. Motion passed unanimously.**

4.Repeal of Bicycles – Use and Safety Rules, 37 TAC Sections 32.1-32.3, concerning Bicycles – Use and Safety no public comment received

**A motion was made by Commissioner Polunsky seconded by Commissioner Watson approving repeal of Bicycles – Use and Safety Rules. Motion passed unanimously.**

F. Report, discussion, and possible adoption of proposed reorganization of Chapter 36, Metals Registration, including: amendments to 37 TAC Sections 36.1-36.7, 36.9-39.14, 36.17, and 36.18, repeal of 37 TAC Sections 36.15, 36.16, 36.19-36.21, and new 37 TAC Sections 36.15, 36.16, 36.19-36.24, as previously published no public comment received

**A motion was made by Commissioner Watson seconded by Commissioner Polunsky approving adoption of proposed reorganization of Chapter 36. Motion passed unanimously.**

G. Review of pending contract/renewal/change order/awards from Contract Review Board

1. Texas On-Road Vehicle Emissions Testing Program

Current contract expires June 2013, approval to Enviro Test Systems Holding Corp for \$1.37 million contract for emissions testing (Regulatory Services)

2. Additional Contract Review Board items, as needed

Biometric capture station equipment for Driver License and Law Enforcement Support approved on June 3, 2013. Contract for \$3.5 million to lease 1,500 units @ \$200 per month (2 year lease with two additional option periods)

H. Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071

Director McCraw requested advice and consent to consolidate Policy, Projects & Portfolio Management into Administration, eliminating the position and Homeland Security box on the organization chart, and naming Amanda Arriaga as the Assistant Director of Administration. **A motion was made by Commissioner Polunsky seconded by Commissioner Watson to consolidate Policy, Projects & Portfolio Management into Administration, eliminating the position and Homeland Security box on the organization chart, and naming Amanda Arriaga as the Assistant Director of Administration. Motion passed unanimously.**

I. Report, discussion and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team

None

**Reports** (2:03:21)

A. Commission member reports and discussion - none

B. Finance Report - none

C.Chief Auditors Office - none

D.Division status reports on activities and action - none

**Consent Items** (2:03:55)

A.Discussion and possible action on the Director's action of discharging probationary employees: Dawn Hatcher, Amy Stafford, Claudia Rosales, Kajuana Hill-Green, Chastiny Wyche and Denise Abroso

B.Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024: Special Rangers: Mark W. Atkins, Geoffrey Aycock, Russell W. Bundy, Henry L. Murray, Jeff A. Pickett, Jose Portillo Jr., David M. Rice, Stacy C. Sears, Mario E. Tinajero and Paul Torres

C.Report, discussion and possible action on the Office of Psychological Services Other Victim Assistance Grant (OVAG) FY2014 & FY2015 Funding

D.Acknowledgement of revised value of 2013 Dodge Challenger donation from February 2013 meeting

**A motion was made by Commissioner Polunsky seconded by Commissioner Watson approving Consent Items A, B, C and D. Motion passed unanimously.**

**Items for Future Agenda** (2:04:48)

-Government Relations Update

-Report, discussion and possible action of IT Division Staff Augmentation Plan for FY2014

**Date for Future Meeting** (2:05:05)

Public Safety Commission meeting to be held August 15, 2013, and discharge hearings are scheduled for August 16, 2013.

**Adjourn** (2:06:34)

The meeting was adjourned at 1:49 p.m.

Read and approved this 15<sup>th</sup> day of August, 2013.

  
Chairman

IN THE MATTER OF § BEFORE THE

THE DISCHARGE OF § PUBLIC SAFETY COMMISSION

PROBATIONARY EMPLOYEES § IN AUSTIN, TRAVIS COUNTY, TX

## Advice and Consent

In accordance with Government Code Section 411.007(f), the Director found that the following named probationary employees were unsuitable for continued employment in the Department of Public Safety. The Public Safety Commission has consented to discharge these employees:

Employee Name	Employee Title/Division	Date of Discharge
Dawn Hatcher	Customer Service Representative/Driver License	05/01/13
Amy Stafford	Forensic Scientist/Law Enforcement Support	05/10/13
Claudia Rosales	Customer Service Representative/Driver License	05/13/13
Kajuana Hill-Green	Customer Service Representative/Driver License	05/17/13
Chastiny Wyche	Customer Service Representative/Driver License	05/17/13
Denise Aboso	Customer Service Representative/Driver License	05/17/13

~~Approved:~~

Approved: 

A. Cynthia Leon, Chair  
Public Safety Commission

Date: June 4, 2013

**SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS**  
**June 4, 2013**

**Special Ranger Applicants:**

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Atkins, Mark W.	THP	Austin	04/30/13	21 years	
Aycock, Geoffrey	Regulatory	Waco	03/31/13	25 years	
Bundy, Russell W.	ICT	Austin	06/30/12	25 years	
Murray, Henry L.	THP	HP/New Boston	09/30/93	21 years	
Pickett, Jeff A.	THP	CVE/Columbus	06/30/11	24 years	
Portillo, Jr., Jose	CID	Austin	04/30/13	22 years	
Rice, David M.	THP	CVE/Henderson	04/30/11	27 years	
Sears, Stacy C.	THP	CVE/Mount Pleasant	03/31/13	23 years	
Tinajero, Mario E.	CID	Midland	02/28/03	20 years	
Torres, Paul	THP	CVE/Monahans	03/31/13	22 years	

**Special Texas Ranger Applicant:**

Name	Division	Service/Station	Retire Date	Years of Service	Approved
None					

Approved by the Public Safety Commission on: 6/4/13

  
Chairman

**DEPARTMENT OF PUBLIC SAFETY  
INTEROFFICE MEMORANDUM**

**DATE:** May 8, 2013

**TO:** Wayne Mueller, Assistant Director, Administration  
**FROM:** Melissa Atwood, LCSW, Victim Services Director *Ma*  
**SUBJECT:** Public Safety Commission Agenda Item-Other Victim Assistance Grant

The Other Victim Assistance Grant (OVAG) is competitive funding available through the Office of the Attorney General. The DPS Victim Services applies each biennium and has been continuously awarded this funding since FY2006. The grant request for each year (FY2014 and FY2015) is \$199,904.00 for a total request of \$399, 808.

The application budget includes funds for 50% of personnel/fringe cost for six of the fourteen licensed regional counselors who serve victims of crime and disasters by providing mandated victim assistance, counseling and other support services in the urban and rural areas of DPS Regions Two (Houston over to East Texas), Four (San Angelo to El Paso) and Six (Waco to far west Central Texas). The counselors also provide victim assistance related training to law enforcement and other criminal justice professionals. As an assist agency, DPS proactively extends its victim assistance services to other law enforcement and prosecution agencies that may have limited victim assistance resources. The budget also includes money for travel for direct services and necessary professional training.

As part of the grant application process, the Office of the Attorney General requires that the Public Safety Commission sign a resolution of governing body.



## ATTACHMENT B—REQUIRED

### RESOLUTION OF GOVERNING BODY

LEGAL NAME OF APPLICANT: Texas Department of Public Safety

UNIQUE APPLICATION NUMBER (if applicable): 00057-14-0090

*Be it known as follows:*

WHEREAS, the Texas Department of Public Safety, [Name of Applicant] has applied or wishes to apply to the Office of the Attorney General, (OAG) Crime Victim Services Division for the following grant program (check one):

- ☒ Other Victim Assistance Grant (OVAG)
- ☐ Victim Coordinator and Liaison Grant (VCLG)
- ☐ Sexual Assault Prevention and Crisis Services (SAPCS) – State Funds
- ☐ Sexual Assault Prevention and Crisis Services (SAPCS) – Federal Funds

WHEREAS, the Public Safety Commission,  
[Name of Governing Body of Applicant, such as City Council, County Commissioners' Court or Board of Directors], has considered and supports the Application filed or to be filed with the OAG:

WHEREAS, the Texas Department of Public Safety, [Name of Applicant] has designated or wishes to designate the following individual as the "Authorized Official" who is given or has been given the power to apply for, accept, reject, alter, or terminate that certain grant with the OAG, Crime Victim Services Division as well as given the authority to sign all grant adjustment requests, inventory reports, progress reports and financial reports or any other official documents related to the grant on behalf of the grantee:

Name of Person Designated as "Authorized Official": Steven C. McCraw  
Position Title: Director

NOW THEREFORE, BE IT RESOLVED that this governing body approves the submission of the Application to the OAG, Crime Victim Services Division as well as the designation of the Authorized Official.

Signature

Date

A. Cynthia Leon

Printed Name of Commissioner or Designee

O0057-14-0090

<b>1. ORGANIZATION</b>			
Unique Application Number (UAN)		O0057-14-0090	
Legal Name of Applicant		Texas Department of Public Safety	
Name of Agency Contact		Melissa Atwood	
Agency Contact's Telephone Number		512-424-5163	
<input checked="" type="checkbox"/> Check if applying for an OVAG Statewide Project	Amount Requested	% of Personnel and Fringe Requested	
	FY 2014	\$199,904.00	98%
	FY 2015	\$199,904.00	98%

<b>2. MISSION STATEMENT</b>
2.1 Provide the mission statement of your organization.
<p>The overall mission for the Texas Department of Public Safety is: "To protect and serve". The mission for the Victim Services program is: Through statewide collaboration, provide comprehensive victim assistance, crisis intervention and counseling services to victims, families and communities affected by crime across the state.</p>

<b>3. DESCRIPTION OF THE ORGANIZATION</b>
3.1 Give a description of the history of your organization including the purpose for which it was created.
<p>The DPS was created on August 10, 1935 to enforce laws and provide public safety. The DPS consists of the Director's Staff and two major divisions: Law Enforcement Operations and Services. The Law Enforcement Operations includes all divisions that enforce and investigate crimes, gather intelligence, combat terrorism and manage statewide emergencies. For example, The Texas Highway Patrol investigates vehicular crimes and the Texas Rangers investigate violent crime and corruption cases. The Services includes law enforcement support, regulatory, drivers' license and various administrative services. The Victim Services Program, which falls under the Services side of the organization, was created in 1997 to better meet the crime victims' rights mandates and to provide direct victim services.</p> <p>Geographically, the DPS divides the state into six regions and the Capitol Complex. Most of the divisions, including Victim Services, have personnel in each region to provide a regional response and services</p>
3.2 Give a description of how the organization has evolved to its current structure, this may include the scope of service, geographic areas covered, staff hierarchy, legal organization, etc.
<p>In November 1997, a Victim Services Director was hired to develop statewide victim services for DPS. With DPS officers' increased familiarity and value for these services, referrals for victim services increased. As a result, from 2002 to 2004 and with the assistance of grant funding, DPS hired 7 regional Victim Services Counselors in Garland, Corpus Christi, Lubbock, Houston, Waco, Midland and McAllen. In 2008, DPS funded 7 additional Counselor positions for El Paso, Amarillo, Tyler, Central Texas, Laredo and San Antonio. Through re-organization, the agency created 14 Counselor positions to provide half-time victim assistance and half-time Employee Assistance Program (EAP) services. Services are available in all 254 counties. The counselors are licensed so in addition to mandated and support victim assistance, each may provide counseling. The DPS is legislated as an assist agency that extends its resources to local, state and federal agencies.</p>

<b>4. VICTIM SERVICES EXPERIENCE</b>	<b>YEARS</b>
4.1 How many years has the organization been providing victim-related services or assistance?	15.7

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**5. VICTIM SERVICES WORK****5.1 Provide a description of the work the organization is doing on behalf of victims of crime.**

DPS is a law enforcement agency dedicated to investigating and solving crimes. They are mandated by Chapter 56 of the Code of Criminal Procedures to provide specific services to crime victims. The agency investigates vehicular crimes, violent crimes, fraud, identity theft and other crimes. The Victim Services program provides comprehensive services to crime victims regardless of their level of participation in the criminal justice system. These Counselors and the Director are licensed mental health providers, so in addition to providing general victim services and advocacy, they may provide counseling. The Counselors conduct proactive outreach and provide information of victims' rights, information/referral, assistance with Crime Victim Compensation applications, safety planning, counseling and other support services. Counselors make every effort to meet with victims in-person and frequently conduct field visits (home, work, funeral homes, schools, neutral location) as it is typically more convenient for the victim. Counselors coordinate services with other agencies to provide a strong continuum of support and care to victims. Victim Services routinely provides victim related training to law enforcement to promote victim's rights and to improve the response to crime victims. Lastly, we participate in regional and statewide victim assistance groups to improve services and participate in community planning for victim services.

**5.2 How does this work fit into the organization's overall goals and objectives?**

The DPS goals are to combat terrorism and crime, enhance public safety, strengthen statewide emergency management and provided world-class services. The Victim Services program services contribute on some level to all of the goals. The program serves to help the DPS meet state mandates for victim assistance. Victims often need information and support to make informed decisions about his or her choice to participate in the criminal justice system. Supporting crime victims may enhance a victim's ability to provide information, which improves an investigation. Some services (safety planning, VINE) enhances safety of the individual and potentially the public. DPS expects Victim Services to provide exceptional and timely services and the program strives to continuously improve. Our training to law enforcement improves compliance with crime victims' rights and promotes a victim-centered approach in working with crime victims.

**6. VOLUNTEERS**

<b>6.1 Does the organization currently have a volunteer program, or plan to implement one this grant term?</b>	<b>Yes</b>
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<b>6.2 How many volunteers were active within the last year?</b>	<b>26</b>
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**6.3 Describe how the organization utilizes or plans to utilize volunteers to support the organization's mission, including any specific victim-related services:**

The DPS Chaplaincy Volunteer Program was formally established under the administrative oversight of the Psychological Services Bureau in 1999. The Chaplaincy Program provides support to DPS employees and their families facing work-related or personal crises. They also provide support during a disaster response. Currently, twenty-four of the Chaplain Volunteers are trained to assist victims throughout the State. They primarily provide emergency after-hours crisis intervention, hospital accompaniment and death notification, in non-crime and crime related vehicular crashes. The chaplains may co-work a large case with the regional Victim Services Counselor and assist with group interventions.

**6.4 Describe training for volunteers including both training required prior to providing services and ongoing training conducted throughout the volunteer's service.**

Each volunteer attends an orientation for both chaplaincy and victim assistance volunteer services. The volunteers must complete a 24 hour individual and group crisis intervention training (Critical Incident Stress Management Model) and training in death notification, ethics, basic victim assistance and diversity which is provided by DPS Chaplains and DPS employees. Additional victim related training is provided at least once a year, and the Victim Services Director and counselors travel throughout the regions upon request to conduct subject specific regional trainings. For example, in 2011 each counselor will provide additional death notification training for volunteers and commissioned personnel. All of the Chaplains are provided information on other victim services trainings and conferences throughout the state. The regional Counselor and Chaplain Representative evaluate on-going training needs for each volunteer and either provide or refer to an appropriate training.

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**6.5 Describe how the organization recruits and retains volunteers or plans to do so.**

The Counselors and the Chaplain Representatives recruit potential volunteers through police chaplain organizations, other law enforcement agencies or upon recommendation from DPS employees. Each candidate is screened initially by the Chaplain Representative to ensure the person meets the minimum qualifications. The candidate then completes an application which includes authorization for a thorough background check. The candidate undergoes a panel interview. DPS retains its volunteers by creating opportunities for service, maintaining an inclusive and inviting work environment, and providing training and support so the volunteers can continuously improve their knowledge and skills. The program has a monthly minimum requirement of 10 hours of volunteer services which keeps the volunteer connected and active.

**7. COLLABORATIONS****7.1 Describe the benefits realized by victims of crime as a result of your organization's collaboration(s) with other organizations (if your organization collaborates) or through your organization alone (if your organization does not collaborate).**

We collaborate with many government and non-governmental agencies in order to better serve crime victims throughout the State. Such collaborations maximize resources, reduce duplication and diversify the available resources through developed referral processes. Collaboration fosters our ability to help victims navigate complicated systems and access a variety of resources, that are not available through our program such as shelter, protective orders, medical, legal assistance, child care and food. From our program, Victims benefit from receiving timely, flexible, mobile and individualized assistance during an investigation which improves their understanding of the system, enhances their ability to make informed decisions, and facilitates their recovery. Because the counselors' varied skill set, culturally competent services can be adapted to meet the needs of the victim. Crime victims will have an improved experience with law enforcement as a result of victim-centered training. Victims will receive services in their own community (rural or urban).

**7.2 If your organization collaborates, provide a list of the organizations, including the organization type (law enforcement agency, advocacy center, hospital, task force, etc.) the applicant collaborates with to serve victims of crime for the purpose of supporting or assisting in victim recovery.**

Some examples include : Austin, Abilene, Alvin, San Angelo, Midland, La Porte, Pearland, Lamesa, Odessa and Waco Police Departments; Travis, El Paso, Midland, Llano, Bell, McClennan, Brazoria, Austin, Harris, Montgomery, Burnet, Tom Green, Hudspeth, Brewster, Culberson, and Williamson County Sheriff's Offices; Federal Bureau of Investigations, Immigration and Customs Enforcement; Texas Office of Attorney General ( law enforcement agencies). Harris, Montgomery, Austin, Midland, El Paso, Tom Green, Williamson, Bell County District Attorney's Offices ( Prosecution); Texas Department of Criminal Justice (Corrections); Mothers Against Drunk Driving, People Against Violent Crime, Texas Association Against Sexual Assault, Texas Advocacy Project, CAC of Texas(State Advocacy); Williams County Crisis Center, Jefferson County Victim Assistance Center, Family Services Women and Children Shelter and the Rape/Suicide Crisis Center in East Texas, STARS, Safe Place, Midland Fair Havens, Stop DUI most local domestic violence and sexual assault centers, local child advocacy centers Non-profits). Fabien ISD (school); various hospitals; Coalitions/Task forces for sexual assault, DWI, domestic violence, human trafficking and child abuse; and Department of Family and Protective Services ( local/regional offices).

**8. STATE AND FEDERAL FUNDS EXPERIENCE****YEARS****8.1 How many years of experience does the organization have in managing state or federal grant funds?**

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9. OUTPUT TARGET CALCULATION	STAFF POSITION/TITLE #1	STAFF POSITION/TITLE #2	STAFF POSITION/TITLE #3
<b>9.1 STAFF POSITION/TITLE</b>	Victim Services/EAP Counselor (Beaumont)	Lead Victim Services/EAP Counselor/El Paso	Victim Services/Employee Assistance Counselor/Austin
<b>9.2 ADMINISTRATIVE POSITION</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9.3 CONTRACT POSITION</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9.4 OUTPUT TARGET</b>	<b>OUTPUT TARGET</b>	<b>OUTPUT TARGET</b>	<b>OUTPUT TARGET</b>
<b>DIRECT VICTIM SERVICES</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Number of Unique Victims Served	300 300	175 175	250 250
Assistance with Crime Victims' Compensation	175 175	130 130	175 175
Assistance with Texas SAVNS/VINE	20 20	15 15	15 15
Information and Referral	345 345	275 275	345 345
Assistance with Restitution			
Criminal Justice Accompaniment			
Law Enforcement Accompaniment			
Medical Accompaniment			
Crisis Intervention			
Individual Counseling	45 45	70 70	35 35
Support Groups			
Therapeutic Groups			
Peer Support Services			
Assistance with Victim Impact Panels			
Assistance with Victim Impact Statements			
Emergency Funds			
Follow-up with Victim			
Legal Assistance			
Lodging			
Other			
Transportation			
Victim Advocacy			
<b>VICTIM SERVICES TRAINING</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Total Number of all Training Sessions			
Law Enforcement Individuals Trained	25 25	250 250	150 150
Prosecution/Judicial Individuals Trained			
School Faculty Individuals Trained			
Medical Individuals Trained			
Faith-Based Individuals Trained			
Volunteer Individuals Trained			
Other Individuals Trained			
Total Number of all Individuals Trained	25 25	250 250	150 150
<b>OUTREACH OR COMMUNITY EDUCATION</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Outreach or Community Education Presentations			
Outreach or Community Education Participants			
Informational Fairs			
Total Attendees at Informational Fairs			
25% of Total Attendees (auto-calculates)	0 0	0 0	0 0
Total Outreach or Community Ed Presentations	0 0	0 0	0 0
<b>STRUCTURED EDUCATION</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Structured Education Presentations			
Structured Education Participants			



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9. OUTPUT TARGET CALCULATION	STAFF POSITION/TITLE #4	STAFF POSITION/TITLE #5	STAFF POSITION/TITLE #6
<b>9.1 STAFF POSITION/TITLE</b>	Victim Services/EAP Counselor/Waco	Victim Services/EAP Counselor Houston	Victim Services/EAP Counselor/Midland
<b>9.2 ADMINISTRATIVE POSITION</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9.3 CONTRACT POSITION</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9.4 OUTPUT TARGET</b>	<b>OUTPUT TARGET</b>	<b>OUTPUT TARGET</b>	<b>OUTPUT TARGET</b>
<b>DIRECT VICTIM SERVICES</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Number of Unique Victims Served	300 300	325 325	225 225
Assistance with Crime Victims' Compensation	175 175	175 175	170 170
Assistance with Texas SAVNS/VINE	15 15	20 20	15 15
Information and Referral	345 345	345 345	345 345
Assistance with Restitution			
Criminal Justice Accompaniment			
Law Enforcement Accompaniment			
Medical Accompaniment			
Crisis Intervention			
Individual Counseling	25 25	25 25	25 25
Support Groups			
Therapeutic Groups			
Peer Support Services			
Assistance with Victim Impact Panels			
Assistance with Victim Impact Statements			
Emergency Funds			
Follow-up with Victim			
Legal Assistance			
Lodging			
Other			
Transportation			
Victim Advocacy			
<b>VICTIM SERVICES TRAINING</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Total Number of all Training Sessions			
Law Enforcement Individuals Trained	150 150	25 25	25 25
Prosecution/Judicial Individuals Trained			
School Faculty Individuals Trained			
Medical Individuals Trained			
Faith-Based Individuals Trained			
Volunteer Individuals Trained			
Other Individuals Trained			
Total Number of all Individuals Trained	150 150	25 25	25 25
<b>OUTREACH OR COMMUNITY EDUCATION</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Outreach or Community Education Presentations			
Outreach or Community Education Participants			
Informational Fairs			
Total Attendees at Informational Fairs			
25% of Total Attendees (auto-calculates)	0 0	0 0	0 0
Total Outreach or Community Ed Presentations	0 0	0 0	0 0
<b>STRUCTURED EDUCATION</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>	<b>FY 2014</b> <b>FY 2015</b>
Structured Education Presentations			
Structured Education Participants			

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**10. PERSONNEL & FRINGE**

Title of Position	Sched- uled to work	Sched- uled on this grant	Direct Services on this grant	Admin. on this grant	Other on this grant	Annual Salary	Total Salary Requested on this grant	% Salary Funded by this grant	Annual Fringe Benefits for the Position	Fringe Funds Requested on this grant	% Fringe Funded by this grant
<b>FY 2014</b>	<b>HOURS PER WEEK</b>					<b>SALARY</b>			<b>FRINGE</b>		
1. Victim Services/EAP Counselor (Beaumont)	40	20	17		3	\$ 51,614.00	\$ 25,807.00	50.00%	\$ 12,518.00	\$ 6,259.00	50.00%
2. Lead Victim Services/EAP Counselor/EI Paso	40	20	13		7	\$ 54,096.00	\$ 27,048.00	50.00%	\$ 13,000.00	\$ 6,500.00	50.00%
3. Victim Services/Employee Assistance Counselor/Austin	40	20	15		5	\$ 51,834.00	\$ 25,917.00	50.00%	\$ 12,486.00	\$ 6,243.00	50.00%
4. Victim Services/EAP Counselor/Waco	40	20	16		4	\$ 51,374.00	\$ 25,687.00	50.00%	\$ 14,316.00	\$ 7,158.00	50.00%
5. Victim Services/EAP Counselor Houston	40	20	16		4	\$ 51,774.00	\$ 25,887.00	50.00%	\$ 14,016.00	\$ 7,008.00	50.00%
6. Victim Services/EAP Counselor/Midland	40	20	16		4	\$ 51,036.00	\$ 25,518.00	50.00%	\$ 15,344.00	\$ 7,672.00	50.00%
						\$ 185,864			\$ 40,840		
<b>FY 2015</b>	<b>HOURS PER WEEK</b>					<b>SALARY</b>			<b>FRINGE</b>		
1. Victim Services/EAP Counselor (Beaumont)	40	20	17		3	\$ 51,614.00	\$ 25,807.00	50.00%	\$ 12,518.00	\$ 6,259.00	50.00%
2. Lead Victim Services/EAP Counselor/EI Paso	40	20	13		7	\$ 54,096.00	\$ 27,048.00	50.00%	\$ 13,000.00	\$ 6,500.00	50.00%
3. Victim Services/Employee Assistance Counselor/Austin	40	20	15		5	\$ 51,834.00	\$ 25,917.00	50.00%	\$ 12,486.00	\$ 6,243.00	50.00%
4. Victim Services/EAP Counselor/Waco	40	20	16		4	\$ 51,374.00	\$ 25,687.00	50.00%	\$ 14,316.00	\$ 7,158.00	50.00%
5. Victim Services/EAP Counselor Houston	40	20	16		4	\$ 51,774.00	\$ 25,887.00	50.00%	\$ 14,016.00	\$ 7,008.00	50.00%
6. Victim Services/EAP Counselor/Midland	40	20	16		4	\$ 51,036.00	\$ 25,518.00	50.00%	\$ 15,344.00	\$ 7,672.00	50.00%
						\$ 185,864			\$ 40,840		

**10.1 FY 2014: POSITION NARRATIVE**

Provide a justification which relates to the project's goal.

1. Victim Services/EAP Counselor (Beaumont)	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 15 East Texas counties around Beaumont. Fringe determined by current and projected FY2013 costs.
2. Lead Victim Services/EAP Counselor/EI Paso	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. The position also provides consultation on victim assistance cases to other counselors and develops and performs additional victim assistance training. Position based in EI Paso and contributes to all project goals. Service area is 6 counties along the border and East of EI Paso. Fringe determined by current and projected FY2013 costs.
3. Victim Services/Employee Assistance Counselor/Austin	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Position based in Austin. Service area is 12 counties in the Hill Country. Fringe determined by current and projected FY2013 costs.
4. Victim Services/EAP Counselor/Waco	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 20 counties surrounding rural areas around Waco, Texas. Fringe determined by current and projected FY2013 costs.
5. Victim Services/EAP Counselor Houston	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 13 counties around Houston and extends to the coast. Fringe determined by current and projected FY2013 costs.
6. Victim Services/EAP Counselor/Midland	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 30 counties around Midland in West and North Central Texas. Fringe determined by current and projected FY2013 costs.



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**10.2 FY 2015 POSITION NARRATIVE**

Provide a justification, which relates to the project's goal.

1. Victim Services/EAP Counselor (Beaumont)	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 15 East Texas counties around Beaumont. Fringe determined by current and projected FY2013 costs.
2. Lead Victim Services/EAP Counselor/EI Paso	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. The position also provides consultation on victim assistance cases to other counselors and develops and performs additional victim assistance training. Position based in El Paso and contributes to all project goals. Service area is 6 counties along the border and East of El Paso. Fringe determined by current and projected FY2013 costs.
3. Victim Services/Employee Assistance Counselor/Austin	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Position based in Austin. Service area is 12 counties in the Hill Country. Fringe determined by current and projected FY2013 costs.
4. Victim Services/EAP Counselor/Waco	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 20 counties surrounding rural areas around Waco, Texas. Fringe determined by current and projected FY2013 costs.
5. Victim Services/EAP Counselor/Houston	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 13 counties around Houston and extends to the coast. Fringe determined by current and projected FY2013 costs.
6. Victim Services/EAP Counselor/Midland	Licensed counselor to provide comprehensive victim assistance, therapy and training to professionals. Position contributes to all project goals. Service area is 30 counties around Midland in West and North Central Texas. Fringe determined by current and projected FY2013 costs.

**10.3 REQUEST FOR EXCEPTION TO OVAG REQUIREMENTS**

Indicate in the space provided below the reason and justification for why the Applicant is asking for the exception.

NA

**11. PROFESSIONAL & CONSULTANT SERVICES**

Name of Professional/Company that Applicant will contract with to perform Professional & Consultant Services	Description of Professional & Consultant Services	FY 2014			FY 2015		
		No. of Days of Consultation	Daily Rate of Compensation	Cost	No. of Days of Consultation	Daily Rate of Compensation	Cost
NA			\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -		\$ -	\$ -

**11.3 FY 2014 PROFESSIONAL & CONSULTANT SERVICES NARRATIVE**

Provide a justification for Professional &amp; Consultant Services which relates to the project's goal.

**11.2 FY 2015 PROFESSIONAL & CONSULTANT SERVICES NARRATIVE**

Provide a justification for Professional &amp; Consultant Services which relates to the project's goal.

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**12. TRAVEL**

Travel Purpose	Positions: List all positions (separated by a comma) requested within travel type.	Expense Type	FY 2014			FY 2015		
			Total Cost of Travel	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of Travel	% Requested by this OAG Grant	Cost Requested by this OAG Grant
OAG Sponsored Training		Airfare/Flight	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Auto/Hotel/Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL			\$ -			\$ -
Professional Developing Training	1,2,3,4,5,6		\$ 1,200.00	100%	\$ 1,200	\$ 1,200.00	100%	\$ 1,200
Direct service delivery	1,2,3,4,5,6		\$ 800.00	100%	\$ 800	\$ 800.00	100%	\$ 800
			\$ -	0%	\$ -	\$ -	0%	\$ -
Travel Purpose	Positions: List all positions (separated by a comma) requested within travel type.	Expense Type	Number of Miles	Cost Per Mile Requested by this OAG Grant	Cost Requested by this OAG Grant	Number of Miles	Cost Per Mile Requested by this OAG Grant	Cost Requested by this OAG Grant
Local Travel (Mileage Only)		Mileage		\$ -	\$ -		\$ -	\$ -
					\$ 2,000			\$ 2,000

**12.1 FY 2014 TRAVEL NARRATIVE**

Provide a justification describing the travel staff members will perform. This should include the location to be traveled to, the number of trips planned, the title of the staff member who will be making the trips, and how the travel supports the goal of the grant.

Direct victim services travel expenses are vital since Counselors travel throughout their large regions, especially rural areas, to provide in-person services that often necessitate overnight stays. Each counselor has a State assigned vehicle. Although personnel are encouraged to attend all available appropriate local training, many opportunities will require travel costs. Continuing professional development would improve the quality of victim assistance and clinical services as well as provide an opportunity to learn about new resources. Attending training also will enhance the counselors' ability to develop and conduct effective and engaging training. Counselors also conduct victims' rights and other victim centered training to law enforcement which at time requires travel.

**12.2 FY 2015 TRAVEL NARRATIVE**

Provide a justification describing the travel staff members will perform. This should include the location to be traveled to, the number of trips planned, the title of the staff member who will be making the trips, and how the travel supports the goal of the grant.

Direct victim services travel expenses are vital since Counselors travel throughout their large regions, especially rural areas, to provide in-person services that often necessitate overnight stays. Each counselor has a State assigned vehicle. Although personnel are encouraged to attend all available appropriate local training, many opportunities will require travel costs. Continuing professional development would improve the quality of victim assistance and clinical services as well as provide an opportunity to learn about new resources. Attending training also will enhance the counselors' ability to develop and conduct effective and engaging training. Counselors also conduct victims' rights and other victim centered training to law enforcement which at time requires travel.

**13. EQUIPMENT**

Item	FY 2014			FY 2015		
	Total Cost of Equipment	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of Equipment	% Requested by this OAG Grant	Cost Requested by this OAG Grant
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -

**13.1 FY 2014 EQUIPMENT NARRATIVE**

Provide a justification for Equipment which relates to the project's goal.

**13.2 FY 2015 EQUIPMENT NARRATIVE**

Provide a justification for Equipment which relates to the project's goal.

#### 14. SUPPLIES:

34. SUPPLIES						
Item	FY 2014			FY 2015		
	Total Cost of Supplies	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of Supplies	% Requested by this OAG Grant	Cost Requested by this OAG Grant
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
			\$ -			\$ -

Provide a justification for Supplies which relates to the project's goal.

[illegible]

**Provide a justification for Supplies which relates to the project's goal.**

---

[illegible]

Provide a justification for Other Direct Operating Expenses which relates to the project's goal.

---

Continuing professional development would improve the quality of victim assistance and clinical services as well as provide an opportunity to learn about new resources and innovative interventions. Attending training also will enhance the counselors' ability to develop and conduct effective and engaging training. Providing quality services and training support all the goals of the grant. All 6 personnel on this grant would utilize the funding.

**Provide a justification for Other Direct Operating Expenses which relates to the project's goal.**

\_\_\_\_\_

Continuing professional development would improve the quality of victim assistance and clinical services as well as provide an opportunity to learn about new resources and innovative interventions. Attending training also will enhance the counselors' ability to develop and conduct effective and engaging training. Providing quality services and training support all the goals of the grant. All 6 personnel on this grant would utilize the funding.

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**16. PROJECT SUMMARY**

16.1 Complete the following statement, which may be used by the OAG to summarize or describe the project. "This project funds [number of staff] to serve victims by providing [types of ] services in [geographic location(s)]."

The project funds 6 half-time licensed regional Counselors to serve victims of violent crime by providing mandated victim assistance, counseling and other support services in the urban and rural areas of DPS Regions Two (Houston over to East Texas), Four (Arlene to El Paso) and Six (Waco to far west Central Texas). The counselors also provide victim assistance related training to primarily law enforcement, but also other professionals and volunteers. As an assist agency, DPS proactively extends its victim assistance services to other law enforcement and prosecutor agencies that may have limited victim assistance resources.

**17. TARGET POPULATION****SPECIFIC VICTIMIZATIONS**

Adults Molested as Children	X
Assault	X
Child Abuse	X
DUI/DWI	X
Family Violence	X
Hate/Bias Crimes	X
Human Trafficking	X
Physical Abuse and/or Neglect	X
Robbery	X
Sexual Assault	X
Survivors of Homicide Victims	X
Other Victims of Crime	X

**SPECIFIC POPULATIONS**

African-American	X
Asian	X
Elderly (65 and up)	X
Gay/Lesbian/Bisexual/Transgender	X
Hispanic	X
Persons with Disabilities	X
Rural	X
Spanish-speaking	X
Other	X

**18. PROBLEM STATEMENT**

18.1 Provide a brief description of the specific victim-related issue(s) this project is designed to address as it relates to the specific victimization types reported in 17. Target Population of Tab D:- Project Summary.

All victims, whether they live in urban or rural areas, deserve the same standard of victim services with the minimum standard including the rights afforded by Chapter 56 of the Code of Criminal Procedures. A review of some 20011 data reveals that all eligible crime victims in Texas may not be receiving mandated victim assistance nor are they accessing services fully. Many rural law enforcement agencies are unable to have an in-house victim assistance program which may affect the depth, availability and timeliness of services. Since some jurisdictions depend on the prosecutor office Victim Assistance Coordinator to provide assistance, the victims whose cases are not prosecuted may receive delayed, limited or no assistance; therefore, the availability of victim assistance is essential during the investigation phase so victims may access support and resources, including trauma counseling in those counties where affordable therapists with experience in crime victimization is very limited.

**19. SUPPORTING DATA**

19.1 Provide data that supports the victim-related issue(s) and/or specific victimization types this project is designed to address. Cite research and/or data that is geographically relevant and specific to your service area.

Texas has over 267,277 square miles, a population of approximately 26,000,000 and the largest rural population in the U.S. (US Office of Management and Budget). A vast rural service area presents difficulties in ensuring that all victims receive a standard level of victim services. In 2011, 104,961 violent crimes were committed and 13,477 violent crimes occurred in jurisdictions with a population under 25,000 (DPS Texas Report of Uniform Crime Data 2011). In 2011, there were 11,397 driving under the influence (DUI) related crashes involving death or injury; 38.6% of these crashes occurred in rural counties (TXDOT DUI Comparison Report, 2011). The Texas DPS investigated 2,738 alcohol related crashes that resulted in death or injury and the Texas Rangers investigated 1,371 violent crimes. These numbers demonstrate that there is a need for victim assistance at the investigation level at the DPS and statewide. In FY2011, only 29,573 Crime Victim Compensation (CVC) applications from crime victims were received and only 1,219 of the applications were for DUI crimes. Of the 20,130 approved applications, 15,121 of the applicants were awarded or utilized the benefits (CVC Annual Report, 2012). The gap between the number of violent crimes, the number of CVC applications processed and the number of victims who accessed the benefits may indicate that not all crime victims in Texas are receiving mandated victim assistance, which includes information about the CVC Program, nor are they accessing benefits fully.



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**20. PROJECT GOAL**

20.1 Provide a project goal, which relates to your Problem Statement, that shows what the project plans to achieve over the next two years with these grant funds. The goal should be a "SMART" goal: Specific, Measurable, Achievable, Realistic and Timely.

The project goals are to increase Texas law enforcement compliance with victim mandated rights, to deliver quality direct victim assistance and to connect victims to other resources to assist in their recovery. The key objectives for each grant cycle are:

- 1) Provide direct services, including mandated services, to 1,575 crime victims.
- 2) Provide 225 counseling sessions to crime victims in areas where trauma/crime counseling resources are less accessible or affordable.
- 3) Assist crime victims in submitting Crime Victim Compensation applications to increase the number of victims who apply for and access this benefit.
- 4) Conduct crime victims' rights and other victim related skill building training to 825 law enforcement personnel.
- 5) Extend DPS victim assistance resources to outside law enforcement agencies.

**21. OUTPUT ASSESSMENT AND EVALUATION**

21.1 Describe the systems, including tools and/or processes, written policies and procedures, databases, tracking forms or quality control testing, which will be used to track and verify the project's outputs.

At the beginning of the grant cycle, Counselors receive training on the written grant guidelines, definitions and performance measures. At this time there is also a review of how to complete the monthly client log in an Excel spreadsheet and how to document activity with victims to support information recorded in the quarterly performance reports. Each Counselor submits a client and training log monthly and the Administrative Assistant compiles the data into one excel spreadsheet. Prior to the compilation, the individual counselor, director and assistant review each log for accuracy. Each month during supervision, the supervisor reviews the report with the Counselor. Each Counselor has a laptop computer to record activity with victims. Each Counselor has locked file cabinets in their office to keep client files regarding their activity. The supervisor routinely reviews files to ensure appropriate services are provided, policies/procedures followed and services documented accurately. Policy and Procedures for grant reporting is included in the Administrative Assistance General Duties book, our division handbook as well as additional documents created to clarify service definition and which are allowable under the grant.

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21.2 OUTPUTS SUMMARY		PROJECTED TARGET	
	FY 2014	FY 2015	
<b>DIRECT VICTIM SERVICES</b>			
Number of Unique Victims Served	1875	1875	
Assistance with Crime Victims' Compensation	1000	1000	
Assistance with Texas VINE	100	100	
Information and Referral	2000	2000	
Assistance with Restitution	0	0	
Criminal Justice Accompaniment	0	0	
Law Enforcement Accompaniment	0	0	
Medical Accompaniment	0	0	
Crisis Intervention	0	0	
Individual Counseling	225	225	
Support Groups	0	0	
Therapeutic Groups	0	0	
Peer Support Services	0	0	
Assistance with Victim Impact Panels	0	0	
Assistance with Victim Impact Statements	0	0	
Emergency Funds	0	0	
Follow-up with Victim	0	0	
Legal Assistance	0	0	
Lodging	0	0	
Other	0	0	
Transportation	0	0	
Victim Advocacy	0	0	
<b>VICTIM SERVICES TRAINING</b>			
	FY 2014	FY 2015	
Total Number of all Training Sessions	0	0	
Law Enforcement Individuals Trained	625	625	
Prosecution/Judicial Individuals Trained	0	0	
School Faculty Individuals Trained	0	0	
Medical Individuals Trained	0	0	
Faith-Based Individuals Trained	0	0	
Volunteer Individuals Trained	0	0	
Other Individuals Trained	0	0	
Total Number of all Individuals Trained	625	625	
<b>OUTREACH OR COMMUNITY EDUCATION</b>			
	FY 2014	FY 2015	
Outreach or Community Education Presentations	0	0	
Outreach or Community Education Participants	0	0	
Informational Fairs	0	0	
Total Attendees at Informational Fairs	0	0	
25% of Total Attendees (auto-calculates)	0	0	
Total Outreach or Community Ed Presentations	0	0	
<b>STRUCTURED EDUCATION</b>			
	FY 2014	FY 2015	
Structured Education Presentations	0	0	
Structured Education Participants	0	0	
<b>21.3 PUBLIC AWARENESS CAMPAIGN (Statewide Applicants Only)</b>			
21.3 Describe the types of public service campaign products and activities (Internet, press releases, press conferences, tv and radio, etc.) the applicant plans to provide in English and in other languages.			
NA			

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<b>22. OUTCOMES</b>	
<b>22.1 OUTCOME ASSESSMENT AND EVALUATION</b>	
<b>DIRECT SERVICE OUTCOMES</b>	<b>Outcomes Target %</b>
Increase in knowledge of crime victims' rights.	75%
Increase in knowledge of community resources and services.	75%
<b>PROFESSIONAL TRAINING OUTCOME</b>	
Increase in knowledge of crime victims' rights.	
<b>COMMUNITY EDUCATION OUTCOME</b>	
Increase in knowledge of community resources and services.	
<b>PUBLIC AWARENESS CAMPAIGNS</b>	
Increase in knowledge about the warning signs of specific crimes and victimizations.	
<b>CHILDREN'S ADVOCACY CENTERS (CAC)</b>	
Reduction in trauma, crisis, stress and/or anxiety of child victim and/or protective family members.	
Increase understanding/knowledge regarding criminal and civil justice system process in general and/or in regard to their specific case.	
<p><b>22.2 Specify one of the outcomes chosen in 22.1 Outcome Assessment and Evaluation section of Tab D - Project Summary and describe the tools and/or processes written policies and procedures, pre- and post-tests, staff observation or surveys, which will be used to measure the project's outcome.</b></p> <p>To measure the increased in knowledge of crime victims' rights, The program utilizes a victim feedback survey to measure the identified outcome measures. The counselor either assists the victim in completing the survey or the administrative assistant mails the survey to the victim if the victim prefers the feedback to be anonymous. A course or may also observe an increase of understanding by asking the victim to explain his/her understanding. Other forms of feedback from victims (letters) are maintained as well. The Director reviews all surveys and records the outcomes on the performance report. The Director also travels to the regions to observe counselor's performance and to obtain feedback from law enforcement and volunteer Chaplains about the program. Counselors are expected to identify a minimum of 5 victims monthly to receive a survey as outlined in monthly report procedures. As appropriate, the supervisor reviews the feedback and discusses the feedback with the counselor.</p>	



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**23. DETAILED IMPLEMENTATION PLAN****23.1 Describe this project's specific activities, which will be done over the next two years.**

The program will serve crime victims in the regions in accordance with the Code of Criminal Procedures and within the recommended standards created by the National Victim Assistance Standards Consortium. DPS has demonstrated its ability to provide quality direct services to crime victims throughout rural Texas. The staff or volunteers will directly support DPS and other law enforcement by providing training, crime victims' rights information and direct comprehensive services to victims, such as, death notification, law enforcement accompaniment, follow-up, crisis intervention, safety planning, advocacy, counseling, information/referral, and assistance with CVC. The Counselors work closely with Texas Highway Patrol (THP) and the Texas Rangers. Counselors have direct access to the State crash report system. THP and the Ranger provide victim contact information on a program referral form. Outside agencies may refer via phone, email or in-person. Crime victims may also self refer regardless if he/she chooses to participate in the criminal justice system. Upon referral, the Counselor does proactive outreach to the victim.

**23.1 Continued:**

Once contact is made, the Counselor will provide mandated information/services, conduct an individualized needs assessment and develop a culturally competent intervention to meet the unique needs of the victim. Counselors will utilize efficient victim assistance processes, like the presumptive eligibility process and remote access for CVC, in delivering services. Counselors provide victims' rights and other training for each DPS recruit school. They will also identify law enforcement and volunteer training needs in their region and develop/conduct trainings accordingly. The counselors will visit DPS offices monthly and rural law enforcement agencies quarterly to reinforce availability, provide information brochures and to increase referrals. To ensure a timely quality coordinated service provision, continued cooperation and regular meetings with other victim providers is necessary. Counselors will strive to learn about new resources in that community.

**23.1 Continued:**

Staff will actively participate in regional victim related taskforce/teams as well as assist with community awareness events (Tree of Angels, Crime Victim Rights Week). Both within and outside DPS, staff will continually work to improve processes and statewide responses. To enhance program quality and individual counselor's skills, counselors will have monthly phone supervision, consultation as needed, professional development during staff meetings in Austin and site visits. During meetings and supervision they will receive support and information to address any burnout or compassion fatigue they may be experiencing due to their work with victims. The Director reviews all client feedback surveys and discusses the crucial feedback with the assigned counselor. Staff maintains all client records and confidentiality in accordance with best practice and the law. Grant requirements, guidelines and data collection will be discussed during staff meetings, supervision sessions or as needed.

**23.2 Describe how these activities will help to reach the project's goal.**

The activities of the 6 Victim Services Counselors will increase Texas law enforcement compliance with state mandates by proactively extending our services and through training. DPS Victim Services strives to provide individualized quality services at the law enforcement level, when the victim first becomes involved in the criminal justice system. Networking with victim providers and law enforcement contribute to strong collaborative relationships, clear expectations of service delivery, community awareness and more effective processes/protocols which are essential to providing a consistent continuum of care to victims. Increasing public awareness will assist in reaching victims who have not been offered services. This project will positively impact Texans, whether they live in urban or rural counties, by assisting victims and their families, in recovering from the trauma of crime victimization. All activities are relevant to the established project goals.

**24. COMMUNITY RESOURCES**

24.1 Is collaboration with one or more outside organizations required to achieve specific project activities in the detailed implementation plan?

Yes/No

No

24.2 Do these collaborations currently exist?

24.3 Describe why these agreements are required.

**00057-14-0090**

As employees of the State Police, our program does not require written agreements to have access to necessary information or to receive referrals internally or from outside law enforcement and prosecution agencies. Although essential, our collaborations with non-governmental agencies are networking and referral in nature.

00057-14-0090

**25. SUSTAINABILITY PLAN****25.1** Briefly describe what would happen to the proposed grant project in the event that the OAG grant funds are no longer available.

DPS will continue to seek and apply for applicable grant funds. Unlike non-profit agencies, state agencies cannot solicit funding from private donors and therefore must rely on grant and government funding. DPS will continue to provide mandated services to victims, comply with all grant guidelines to ensure eligibility for available funds and research other grant funding sources. The DPS supports victim services, and recognizes that law enforcement has a mandate to provide victim assistance. In 2008, the legislature funded 7 additional Counselor positions to expand and sustain the program. To best utilize funding, the agency created 14 Counselor positions that provide half-time victim assistance. This reduced the counselor service area which improved access, response time and services to victims. In FY2013, DPS did cover a shortfall of another grant funding source in order for the program to maintain current personnel. If grant funds were not available in FY2014-15, the department would review the program budget and potentially provide funding through the general fund if available.

**26. FINANCIAL****26.1 FINANCIAL SYSTEMS**

**26.2** Describe the financial systems, internal controls, written policies and procedures, accounting software, databases, tracking forms or quality control testing, which will be used to track and verify the project's financial activities.

Texas Department of Public Safety uses USAS as the financial system and participates in an A-133 single audit yearly which monitors our Schedule of Expenditures on the Annual Financial Report and Direct Federal Awards that meet the 500,000 threshold. All invoices are coded with specific object codes to identify funding sources. This allows DPS to track grant contracts individually for auditing purposes. TxDPS runs reports from USAS to track all expenditures and revenue which is posted to an excel spreadsheet. The grants accountant reviews expenditures to ensure that they are allowable under grant funding. This information is then used to request reimbursement from the grantor. In addition, the Victim Services assistant maintains an expenditure spreadsheet to track spending and to reconcile with the expenditure spreadsheet received from the Grants Unit. This process is outlined in the Victim Services "Guidelines for Administrative Assistants" document. DPS has multiple finance related forms and policies (purchasing/travel expenses) DPS now has an electronic timekeeping system which is able to track amount of time spent on grant related activities. Victim Services maintains a grant data and expenditure file on each counselor.

**26.3 BUDGET NARRATIVE**

**26.4** Provide a justification, which relates to the project's goal, for each requested budget category summarized in 27. Budget on Tab D - Project Summary.

The 50% funding for 6 regionally located licensed counselors in Regions 2, 4, and 6 to conduct proactive mandated victim assistance at the law enforcement level will increase law enforcement compliance with legislative mandates. Having 6 half-time victim assistance counselors enables DPS to strategically place two in each region which reduces each counselor's coverage area allowing for improved response time and accessibility for victims. In addition to mandated and general victim assistance services, Counselors will provide trauma informed counseling services in areas where licensed professionals may not be available or affordable. To insure that the Counselors have the most current information and tools for assisting victims, the budget includes line items to cover registration and travel for attendance at trainings and professional development meetings in Austin. Travel for direct service delivery is vital since Counselors travel throughout their large regions, especially rural areas, to provide in-person services that often necessitate overnight stays.

00057-14-0090

27: BUDGET SUMMARY						
PERSONNEL		% of Positions	Hrs./Week	FY 2014 Requested	FY 2015 Requested	Total Project Cost
Description						
Victim Services/EAP Counselor (Beaumont)	50%	20	\$ 25,807	\$ 25,807	\$ 51,614	
Lead Victim Services/EAP Counselor/El Paso	50%	20	\$ 27,048	\$ 27,048	\$ 54,096	
Victim Services/Employee Assistance Counselor/Austin	50%	20	\$ 25,917	\$ 25,917	\$ 51,834	
Victim Services/EAP Counselor/Waco	50%	20	\$ 25,687	\$ 25,687	\$ 51,374	
Victim Services/EAP Counselor Houston	50%	20	\$ 25,887	\$ 25,887	\$ 51,774	
Victim Services/EAP Counselor/Midland	50%	20	\$ 25,518	\$ 25,518	\$ 51,036	
Total PTEs	3.00					
Personnel Total			\$ 155,864	\$ 155,864	\$ 311,728	
FRINGE						
Victim Services/EAP Counselor (Beaumont)			\$ 6,259	\$ 6,259	\$ 12,518	
Lead Victim Services/EAP Counselor/El Paso			\$ 6,500	\$ 6,500	\$ 13,000	
Victim Services/Employee Assistance Counselor/Austin			\$ 6,243	\$ 6,243	\$ 12,486	
Victim Services/EAP Counselor/Waco			\$ 7,158	\$ 7,158	\$ 14,316	
Victim Services/EAP Counselor Houston			\$ 7,008	\$ 7,008	\$ 14,016	
Victim Services/EAP Counselor/Midland			\$ 7,672	\$ 7,672	\$ 15,344	
Fringe Total			\$ 40,840	\$ 40,840	\$ 81,680	
PROFESSIONAL & CONSULTANT						
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
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			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
Professional & Consultant Total			\$	\$	\$	
TRAVEL						
OAG Sponsored Training			\$	\$	\$	
Professional Developing Training			\$ 1,200	\$ 1,200	\$ 2,400	
Direct service delivery			\$ 800	\$ 800	\$ 1,600	
			\$	\$	\$	
Local Travel (Mileage Only)			\$	\$	\$	
			\$	\$	\$	
Travel Total			\$ 2,000	\$ 2,000	\$ 4,000	
EQUIPMENT						
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
Equipment Total			\$	\$	\$	
SUPPLIES						
			\$	\$	\$	
			\$	\$	\$	
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			\$	\$	\$	
Supplies Total			\$	\$	\$	
OTHER DIRECT OPERATING EXPENSES						
OAG Sponsored Training Registration			\$	\$	\$	
Professional Training and Conference fees/registration			\$ 1,200	\$ 1,200	\$ 2,400	
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## **IV. OAG Certifications and Assurances**

### **A. THE UNIFORM GRANT MANAGEMENT STANDARDS ("UGMS"), PART III, SECTION .14; PROMULGATED BY THE OFFICE OF THE GOVERNOR, STATE OF TEXAS.**

#### **THE OAG HAS ADOPTED THOSE ASSURANCES AS APPLICABLE TO ALL RECIPIENTS OF OVAG AND VCLG FUNDS.**

The Applicant agrees to:

- (1) Comply with Texas Government Code, Chapter 573, Vernon's 1994, by ensuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two (2) years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.
- (2) Comply, as applicable, with Texas Government Code, Chapter 552, ("Texas Public Information Act") which requires the public information that is collected, assembled or maintained by the applicant relative to a project to be available to the public during normal business hours.
- (3) Comply with Texas Government Code, Chapter 551, ("Texas Open Meetings Act") which requires all regular, special or called meeting of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.
- (4) Comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.
- (5) If Applicant is a health and human services agency or public safety or law enforcement agency, it may not contract with or issue a license, certificate or permit to the owner, operator or administrator of a facility if the license, permit or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.
- (6) If Applicant is a law enforcement agency regulated by Texas Government Code, Chapter 415, it must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer Standards and Education pursuant to Chapter 415, Texas Government Code or must provide the OAG with a certification from the Texas Commission on Law Enforcement Officer Standards and Education that the agency is in the process of achieving compliance with such rules.
- (7) Agrees that when incorporated into a grant award or contract, these standard assurances become terms or conditions for receipt of grant funds and that the Applicant shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met.



(8) Comply with the Texas Family Code, Section 261.101 which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Applicant shall also ensure that all program personnel are properly trained and aware of this requirement.

(9) Comply with all federal statutes relating to nondiscrimination. These include, but are not limited to, the following: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

(10) Comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § § 276a to 276a-7), the Copeland Act (40 U.S.C. § § 276c and 18 U.S.C. § § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. § § 327-333), regarding labor standards for federally assisted construction sub-agreements.

(11) Comply, as applicable, with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P. L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

(12) Comply with the provisions of the Hatch Political Activity Act (5 U.S.C. § 7321-29) which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

(13) Comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

(14) Insure, as applicable, that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protections Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities

indicating that a facility to be used in the project is under consideration for listing by the EPA, (EO 11738).

(15) Comply, as applicable, with the flood insurance purchase requirements of 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102 (a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

(16) Comply, applicable, with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

(17) Comply, as applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

(18) Comply, as applicable, in assisting the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

(19) Comply, as applicable, with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

(20) Comply, as applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.

(21) Comply, as applicable, with Public Law 103-277, also known as the Pro-Children Act of 1994 (Act), which prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

(22) Comply, as applicable, with all federal tax laws and are solely responsible for filing all required state and federal tax forms.



(23) Comply, as applicable, with all applicable requirements of all other federal and state laws, executive orders, regulations and policies governing this program.

(24) Certifies, as a signatory party to the grant contract, that it is not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs.

(25) Comply, by adopting and implementing the applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

## **B. Other Certifications and Assurances**

### **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM CERTIFICATION**

The Applicant certifies that if it is required to file an Equal Employment Opportunity Plan (EEO), the Applicant will do so in compliance with the applicable federal requirements.

### **DISCLOSURE AND CERTIFICATION REGARDING LOBBYING**

The Applicant certifies:

1. No federal/state appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with the awarding of any federal/state contract, the making of any federal/state grant, the making of any federal/state loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal/state contract, grant, loan, or cooperative agreement; and

2. If any non-federal/state funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress or the Texas Legislature, an officer or employee of Congress or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with this federal/state contract, grant, loan, or cooperative agreement, the undersigned shall contact the CVSD of the OAG for the "Disclosure Form to Report Lobbying."

### **NON-PROCUREMENT DEBARMENT CERTIFICATION**

The Applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

If Applicant is unable to certify to any of the statements in this Non-procurement Debarment certification, the Applicant shall attach an explanation. Funding is contingent upon OAG review of this explanation.

#### **DRUG-FREE WORKPLACE CERTIFICATION**

The Applicant certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees/assignees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B. Establishing a drug-free awareness program to inform employees/assignees about:
  - 1. The dangers of drug abuse in the workplace;
  - 2. The applicant's policy of maintaining a drug-free workplace;
  - 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - 4. The penalties that may be imposed upon employees/assignees for drug abuse violations.
- C. Making it a requirement that each employee/assignee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (A).
- D. Notifying the employee/assignee in the statement required by paragraph (A) that, as a condition employment/assignment under the grant, the employees/assignee will:
  - 1. Abide by the terms of the statement, and
  - 2. Notify the applicant agency and CVSD, of the OAG of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.
- E. Notifying the agency within ten days after receiving notice under subparagraph (D) (2) from an employee/assignee or otherwise receiving actual notice of such conviction.
- F. Taking one of the following actions with respect to any employee/assignee so convicted:
  - 1. Taking appropriate personnel action with respect to any employee/assignee so convicted;
  - 2. Requiring such employee/assignee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- G. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of paragraphs (A), (B), (C), (D), (E), and (F).

#### **ANNUAL SINGLE AUDIT CERTIFICATION**

The Applicant certifies to the best of their knowledge and belief that one of the following applicable requirements will be met:

1. The applicant currently expends \$500,000 or more, in combined federal funds during the fiscal year; and, therefore, is required to submit an annual single audit by an independent auditor made in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133.
2. The applicant currently expends \$500,000 or more in combined state funds during the fiscal year; and, therefore, is required to submit an annual Single Audit by an independent auditor made in accordance with the Uniform Grant Management Standards (UGMS).
3. The applicant currently expends less than \$500,000 in either federal or state funds during the fiscal year; and therefore is exempt from the Single Audit Act and cannot charge audit costs to an OAG grant. Applicant agrees that the OAG may require a limited scope audit as defined in OMB Circular A-133.

If this application is for funds in excess of \$25,000, the Applicant certifies the following:

By submission of this proposal, that neither the applicant agency nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or state agency.

If the Applicant is unable to certify the above statements, the Applicant has attached an explanation to this application.

#### **COMPLIANCE WITH ANNUAL INDEPENDENT FINANCIAL AUDIT FILING REQUIREMENT**

The Applicant assures that it will file an Annual Independent Financial Audit of the complete program and/or organization and management letter of the audit findings within nine months of the end of the fiscal year of the agency. An annual independent financial audit is a requirement for this OAG grant. The audit will meet Office of Management and Budget (OMB) Circular A-133 and Uniform Grant Management Standards (UGMS) requirements. Additionally, the annual independent financial audit will meet GAGAS standards in the event a Single Audit is not required.

#### **COMPLIANCE WITH UGMS AND THE APPLICABLE OMB CIRCULARS**

The Applicant assures that it will follow the guidelines in the Uniform Grant Management Standards (UGMS). Both governmental entities as well as non-profit entities are required to follow UGMS guidelines.

The Applicant assures compliance with all federal/state statutes, regulations, policies, guidelines and requirements, including, but not limited to, UGMS as well as OMB Circulars No. A-21, A-110, A-122, A-128, A-87; E.O. 123 72.

#### **RETURN OF GRANT FUNDS IN THE EVENT OF LOSS OR MISUSE**

The Applicant agrees that in the event of loss or misuse of the OAG funds, the Applicant assures that the funds will be returned to the OAG in full.

#### **CONFLICT OF INTEREST**

The Applicant assures that there is no conflict of interest that would preclude it from filing the Application or providing the services under this grant. By submitting this Application, Applicant affirms that it has neither given, nor intends to give, at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, at any time during the procurement process or in connection with this grant application, except as allowed under relevant state and federal law. The Applicant further agrees that it will establish safeguards to prohibit its employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain. The Applicant shall operate with complete independence and objectivity without actual, potential, or apparent conflict of interest with respect to the activities conducted under this grant.

Without diminishing the provisions of the prior paragraph, the Applicant assures that as a grantee, grantee personnel, members of a grantee board or governing body, or other persons affiliated with the grant project shall not participate in any proceeding or action where grant funds personally benefit, directly or indirectly, the individuals or their relatives. For the purposes of this provision, "relatives" means persons related to the individual within the third degree by consanguinity or within the second degree by affinity, as determined by Chapter 573 of the Government Code. Grant personnel and officials must avoid any action that results in or creates the appearance of using their official positions for private gain; giving preferential treatment to any person; losing independent judgment or impartiality; making an official decision outside of official channels; or adversely affecting the confidence of the public in the integrity of the program or the OAG.

#### **AUTHORITY TO FILE APPLICATION**

The Applicant has the authority or will receive the appropriate authority by the Applicant's governing body to file the Application, including the authority to agree to the assurances and certifications contained herein.

**RESOLUTION  
TEXAS RANGER BICENTENNIAL**

**WHEREAS**, the Texas Rangers Division, founded in 1823 and the precursor of the Texas Department of Public Safety, is known worldwide as a symbol of Texas and America, and is the oldest statewide law enforcement agency in the Nation; and

**WHEREAS**, the Texas Rangers are unique in having served under five flags as a frontier guard, peace officers, state policemen and elite investigators; and

**WHEREAS**, the Texas Rangers Division will commemorate its landmark 200<sup>th</sup> Anniversary in 2023, an event that will attract International attention; and

**WHEREAS**, the Texas Ranger Hall of Fame and Museum in Waco, founded in 1964 and hosted by the City of Waco, has rendered exemplary service for almost 50 years as the State-designated historical representative of the Texas Rangers; and

**WHEREAS**, the Texas Public Safety Commission wishes to join with the Texas Ranger Hall of Fame and Museum, its sanctioned and proven partner, to commemorate the Texas Ranger Bicentennial; and

**WHEREAS**, the Texas Department of Public Safety wishes to leave a legacy of the Texas Ranger Bicentennial by endorsing efforts to renovate and enhance the Texas Ranger Hall of Fame and Museum for future generations;

**NOW THEREFORE BE IT RESOLVED BY THE TEXAS PUBLIC SAFETY COMMISSION:**

- A. That the Texas Ranger Hall of Fame and Museum is designated the representative and steward of the Texas Ranger Bicentennial subject to the review and approval of its actions and representation.
- B. That the intent of the Texas Ranger Hall of Fame and Museum Board to renovate and improve the Texas Ranger Hall of Fame and Museum as a lasting tribute to the Texas Ranger Bicentennial are favored and endorsed.
- C. That the Texas Ranger Hall of Fame and Museum will receive, organize, and present for consideration external requests for:
  - (i) The sanction of official Bicentennial events;
  - (ii) Texas Ranger and Texas DPS personnel to participate in commemorations; and



- (iii) Licenses granted through the state-designated Texas Ranger Hall of Fame and Museum to produce official Bicentennial commemoratives and merchandise with the Texas Ranger Hall of Fame and Museum name and insignia. This does not apply to items required to be authorized by the Director of the Department under Government Code 411.017.

This resolution was considered and approved by a majority of the members of the Public Safety Commission of the State of Texas at its Open Meeting held on the 4<sup>th</sup> day of June, 2013, in Travis County, Texas.

A handwritten signature in black ink, appearing to read "A. Cynthia Leon".

A. Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 36  
Sections 36.15, 36.16, and 36.19 – 36.21

The Texas Department of Public Safety (the department) adopts the repeal of Sections 36.15, 36.16, and 36.19 – 36.21, concerning Metals Registration. This repeal is adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2755) and will not be republished.

Specifically, Section 36.16 is repealed as it is duplicative of statutory authority and therefore unnecessary. Section 36.19 is repealed because dealers of crafted precious metals are no longer regulated by the department pursuant to 82nd Legislative Session, 2011, Senate Bill 694. The proposed repeal of Section 36.20 is necessary to eliminate paper forms. Section 36.15 and Section 36.21 are repealed to reorganize existing language and improve the clarity of Chapter 36.

No comments were received regarding the adoption of this repeal.

The repeal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work and Texas Occupations Code, Section 1956.013, which allows the commission to adopt rules establishing minimum requirements for registration and adopt required forms.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 36  
Sections 36.1 – 36.7, 36.9 – 36.24

The Texas Department of Public Safety (the department) adopts amendments to Sections 36.1 - 36.7, 36.9 - 36.14, 36.17 and 36.18 and adopts new Sections 36.15, 36.16 and 36.19 - 36.24, concerning Metals Registration. These amendments and new sections are adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2750) and will not be republished.

Many of the proposed amendments are necessitated by amendments to Texas Occupations Code, Chapter 1956 (the Act) as a result of 82nd Legislature, 2011, Senate Bill (SB) 694. Other amendments are required to facilitate the department's move toward online and electronic application submission and data collection. These proposals are necessary to reorganize existing language, improve clarity, and to establish consistency when possible with other programs within the department's Regulatory Services Division. Each rule has also been amended to eliminate references to paper forms and to establish the requirement of online submissions.

No comments were received regarding the adoption of these proposals.

These new and amended rules are adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the Department's work; Texas Occupations Code, Section 1956.013, which allows the commission to adopt rules establishing minimum requirements for registration and adopt required forms; Section 1956.014, which allows the commission to prescribe fees in reasonable amounts sufficient to cover the costs of administering the Act; and Section 1956.032(a)(5) and (h), which require that the commission adopt rules establishing the type of documentation required of those who seek to sell burned insulation wire.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A. Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 32  
Sections 32.1 – 32.3

The Texas Department of Public Safety (the department) adopts the repeal of Sections 32.1 – 32.3, concerning Bicycles—Use and Safety. This repeal is adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2749) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined the reasons for initially adopting these rules no longer exist. This chapter is obsolete and the Bicycle Safety Program at the department is defunct.

No comments were received regarding the adoption of this repeal.

The repeal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A. Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 19  
Subchapter A  
Sections 19.1, 19.2, and 19.4 – 19.6

The Texas Department of Public Safety (the department) adopts amendments to Sections 19.1, 19.2, and 19.4 – 19.6, concerning Breath Alcohol Testing Regulations. These amendments are adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2748) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed Chapter 19, Breath Alcohol Resting Regulations, and determined an update to these rules was necessary to allow the Department greater flexibility to efficiently carry out the provisions of Chapter 19. Furthermore, the amendments will clarify the intent of these rules.

No comments were received regarding the adoption of these amendments.

The amendments are adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section; Texas Transportation Code, Section 724.016, which authorizes the department to establish rules approving satisfactory analytical methods; and Section 724.003, which authorizes the department to adopt rules to administer Chapter 724 of the Texas Transportation Code.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A. Cynthia Leon, Chair  
Public Safety Commission



TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 3  
Subchapter D  
Section 3.61

The Texas Department of Public Safety (the department) adopts the repeal of Section 3.61, concerning Safety Responsibility Activities. This repeal is adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2747) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined the reason for initially adopting this rule no longer exists, therefore the repeal of Section 3.61 is necessary.

No comments were received regarding the adoption of this repeal.

The repeal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A. Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 3  
Subchapter B  
Section 3.28

The Texas Department of Public Safety (the department) adopts the repeal of Section 3.28, concerning Citation Disposition Receipt Program. This repeal is adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2746) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined the reason for initially adopting this rule no longer exists, therefore the repeal of Section 3.28 is necessary.

No comments were received regarding the adoption of this repeal.

The repeal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A. Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On June 4, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Texas Highway Patrol  
Title 37 T.A.C. Part I, Chapter 3  
Subchapter D  
Section 3.57

The Texas Department of Public Safety (the department) adopts amendments to Section 3.57, concerning Traffic Warrant Service. These amendments are adopted without changes to the proposed text as published in the May 3, 2013 issue of the *Texas Register* (38 TexReg 2746) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined an update to this rule was necessary to reflect the current procedures and requirements as determined by Texas Code of Criminal Procedure, Article 15.17 and the courts in reference to the disposition of a served traffic warrant.

No comments were received regarding the adoption of these amendments.

The amendments are adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.

  
A. Cynthia Leon, Chair  
Public Safety Commission