

CRIME VICTIM ASSISTANCE

VOCA BOARD POLICIES



2006

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VOCA BOARD POLICIES

A. TITLE AND OPERATIVE DATE OF THE ACT

The title of the Act under which these policies are being promulgated is known as the Victims of Crime Act (VOCA) of 1984. The statutory authority for the regulations is the Victims of Crime Act of 1984, Pub. L. 98-473, Title II, Chap. XIV, 42 U.S.C. 10601, et seq., which was signed into law by President Reagan on October 12, 1984 (operative date of the regulations October 23, 1985). The Victims of Crime Act was amended by the Anti-Drug Abuse Act of 1988, Pub.L. 100-690 (signed into law on November 18, 1988), Title VII Subtitle D of the Act.

B. NAME

The name of this organization shall be the Victims of Crime Act (VOCA) Board hereinafter referred to as the Board.

C. MEMBERSHIP

The Board shall consist of nine members. The membership shall include:

- The Attorney General or his/her designee.
- The Executive Coordinator of the District Attorneys Council or his/her designee.
- The Chief Medical Examiner or his/her designee.
- The Director of the Oklahoma Sheriffs' Association or his/her designee.
- The Director of the Oklahoma Association of Chiefs of Police or his/her designee.
- The Director of the Oklahoma Commission on Children and Youth or his/her designee.
- A Victim-Witness Coordinator, appointed by the District Attorneys Council.
- A crime victim, appointed by the District Attorneys Council.
- An individual with experience and expertise in the provision of services to victims of domestic violence and sexual assault, appointed by the District Attorneys Council.

Appointed member terms will be three (3) years. The initial term of appointment will be January 1, 1989. New appointment will be effective January 1 of the appropriate year.

In the event of a vacancy, the position will be filled by the District Attorneys Council for the balance of the unexpired term.

D. OFFICERS

The Board will elect a Chairperson and a Vice-Chairperson to serve a term of two (2) years commencing January 1 of each appropriate year.

E. PURPOSE

The purpose and function of the Board shall be to (1) hear and decide all matters relating to the subgrant applications; (2) authorize and make subgrants to eligible private organizations and units of state and local government which develop, expand or enhance programs meeting the criteria outlined in the federal guidelines; (3) give priority to programs providing service to victims of sexual assault, spousal abuse, and/or child abuse, as well as previously underserved victim populations, including for example, survivors of homicide victims and victims of drunk and drugged driving incidents, after considering the availability and quality of existing services in the State. The Board will allocate at least ten percent of its total Victims of Crime Act victim assistance grant to each of the three categories and at least ten percent to programs which have been previously underserved.

F. POWERS AND DUTIES OF THE BOARD

The Board shall have the power:

- To review and decide all applications for funds.
- To regulate its own procedures except as otherwise provided in the Federal Regulations.
- To adopt policies to implement the provisions of the Federal Regulations.
- To define any term not defined in the Federal Regulations.
- To prescribe forms necessary to carry out the purposes of the Federal Regulations.
- To request access to any reports or other data necessary to assist the Board in carrying out the terms of the Federal Regulations.
- To submit annually, to the Office for Victims of Crime, a performance report and/or annual report.

G. MEETING OF THE BOARD

The Board shall meet at the call of the chairperson or the administering agency.

The Chairperson shall serve as presiding officer at all official meetings of the Board. In the absence of the Chairperson, the Vice-Chairperson shall serve, and if he or she is also absent, the remaining Board members present at the meeting shall designate a presiding officer for that meeting. The Chairperson shall have the authority to vote on all matters coming before the Board.

A quorum shall consist of five members.

A Board member's designee shall be permitted to vote at the Board meetings if accompanied by a letter from the absent Board member to either the Chairperson or to the Director of Victims Services, authorizing the designee to vote. A separate designation letter shall be submitted for each designee.

Regular attendance at all Board meetings is required. Any appointed member who fails to attend at least one meeting during a calendar year, may be terminated from the Board by the District Attorneys Council. Permanent members are urged to attend or send a designee to all meetings.

The Director of Victims Services shall keep the Board apprised of all relevant matters and shall seek its advise as deemed necessary. The Board shall comply with the Oklahoma Open Meetings Act. Roberts Rules of Order, Revised, shall establish procedures for all meetings of the Board.

H. APPLICATION REVIEW PROCEDURE/APPROVAL PROCESS FOR SUBGRANT APPLICATIONS

Each application must be reviewed by the Board staff to see that it meets the necessary requirements (Federal, State, and Board). After reviewing each application, the staff may make recommendations to the Board. The Board staff shall provide the applications to the Board at least two weeks prior to the Board meeting. After reviewing each application the Board will render a decision regarding the approval and funding of applications received at an open-session meeting. Prior to this meeting, the applicant will be notified of the date, time, and place of the Board meeting and will have the opportunity to appear and answer any questions the Board may have. Three-member subcommittees will be formed to provide in-depth review of assigned applications prior to the regular meeting of the VOCA Board. Applications will be divided among subcommittees, based on a grant's primary focus (i.e., prosecutor or police based victims services; domestic violence/sexual assault; child abuse, homicide, and other crimes). When possible, Board members will be assigned to the subcommittee that corresponds to their area of expertise, provided no conflict of interest is present. Subcommittees will

review the applications individually and provide an oral synopsis of the grant application at the full meeting of the Board.

I. APPEAL PROCEDURE

In the event that an application is denied or a subgrant terminated, the Board staff shall notify the applicant in writing within fifteen (15) calendar days setting forth the action taken and the basis for the decision. Subgrant applicants may appeal if the Board failed to review the application in accordance with the procedures outlined in the Request for Funding Proposal (RFP) or violated these policies. Applicants who wish to appeal shall notify the District Attorneys Council in writing no later than ten (10) calendar days from the date of the denial letter. Applicants shall state in writing the intent to appeal and the basis for the appeal. The hearing shall be held within ninety (90) calendar days after the notice of intent to appeal is received by the Board staff. The Board shall render its decision to the applicant within ten (10) calendar days after completion of a hearing. This decision is final and shall not be appealable.

J. ADMINISTRATION

The District Attorneys Council will provide necessary administrative and support staff to the Board and perform all functions necessary for the effective and efficient administration of the grant program. The Director of Victims Services shall be hired by the Executive Coordinator of the Oklahoma District Attorneys Council. He or she will be responsible for the administration of the policies established by the Board and within such restraints mandated by statute or required by regulations.

The Director of Victims Services shall establish and administer all procedures required to fulfill the responsibilities of the Board and the District Attorneys Council.

K. AMENDMENTS

Any modifications or amendments to the Policies of the Board will be made by the District Attorneys Council, with the advice of the VOCA Board.

L. CONFLICTS OF INTEREST

No VOCA Board member shall participate personally, or through their designee, in any matter in which VOCA funds are or may be used, where to his/her knowledge, he/she or any relative within the third degree by blood or marriage has a financial interest.

VOCA Board members shall avoid any action which might result in, or create the appearance of:

- Using his or her official position on the Board for private gain;
- Giving preferential treatment to any person;

- Losing complete independence or impartiality;
- Making an official decision outside official channels; or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

VOCA Board members should abstain from discussing or voting on any matter that creates the appearance of a conflict of interest.

Addendum

The following motion was approved at the VOCA Board Appeals Meeting on June 24, 2005.

5. Discussion and Possible Action Regarding Allowing Staff to Determine if an Applicant has met Requirements Under Current VOCA Board Policies

A motion was made by Baggett and seconded by Goldman to allow staff to review appeals and determine if they fall within the scope of the VOCA Board Policies. If no good cause for an appeal is shown, pursuant to the VOCA Board Policies, the staff is directed to deny further consideration of the appeal. Notice of all appeals and staff decisions will be e-mailed to Board members.

The motion carried with the following vote:

YAY: Baggett, Brown, Carson, Chapman, Goldman, Smith, West
NAY: Blaine
ABSENT: Speaker
ABSTAIN: None