RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) WITH HEARTLAND FAMILY SERVICE AND THE CERTIFICATION LETTERS FOR THE OFFICE ON VIOLENCE AGAINST WOMEN (OVW) GRANT APPLICATION

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, a grant is available through the Office on Violence Against Women; and,

WHEREAS, Heartland Family Service (HFS) will be the lead agency and submit the grant application; and,

WHEREAS, Sarpy County will collaborate with HFS on the grant application and the proposed project; and,

WHEREAS, OVW requires an MOU be submitted with the application outlining the roles and responsibilities of all participating agencies; and,

WHEREAS, OVW also requires Certification Letters be submitted with the grant application; and,

WHEREAS, Sarpy County is committed to and supports the grant application for Heartland Family Service (HFS) and Sarpy County Victim Witness Unit; and,

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners that the Chairman is hereby authorized to sign the Memorandum of Understanding (MOU) and the Certification Letters for the Office on Violence Against Women grant.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 1st day of March, 2016.

ATTEST:

Sarpy County Clerk

[Signature]

Sarpy County Board Chairman
MEMO

To: Sarpy County Board

From: Lisa A. Haire

Re: MOU with Heartland Family Service and Certification Letters

On March 1, 2016, the County Board will be asked to authorize the Chairman to sign the MOU (Memorandum of Understanding) and the Certification Letters for the 2016 Office on Violence Against Women (OVW) Grant. The grant application is in collaboration with Heartland Family Service (HFS). Heartland Family Service will be the lead agency and submit the grant application. Sarpy County will collaborate with HFS on the project. Heartland Family Service will hire two (2) Victim Advocates that will work with Sarpy County Victim Witness Unit. Sarpy County Victim Witness Unit will send one (1) staff member to required training and provide office space for the HFS Advocates.

The Certification Letters are required by the grantor in order to apply for funding. The letters and the MOU have been reviewed by the County Attorney’s Office, Fiscal Administration, and Victim Witness.

If you have any questions, please contact Jean Brazda at 593-2201.

February 26, 2016

cc: Mark Wayne
    Brian Hanson
    Scott Bovick
    Jean Brazda

Lisa A. Haire
593-1565
lhaire@sarpy.com
Heartland Family Service and Sarpy County, Nebraska
OVW FY 2016 Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program
Proposal Abstract

To combat domestic violence, sexual assault, dating violence and stalking in Sarpy County, Nebraska, Heartland Family Service and Sarpy County will partner with local law enforcement agencies (La Vista, Papillion and Bellevue Police Departments) and Methodist Hospital to:

1) Strengthen and revitalize the Sarpy County coordinated response by increasing support for victims throughout the criminal justice process, offering confidential victim advocate support at the Victim/Witness Unit, Adult Probation and in the community.

2) Enhance the existing criminal justice response to sexual assault, domestic violence, dating violence and stalking through the Sarpy County Community Response Team (CRT) by adopting an Praxis Institutional Analysis approach to review and update policies and protocols, and train police, prosecutors, probation, and victim services.

3) Enhance existing criminal justice response to sexual assault by supporting Sexual Assault Nurse Examiners/Sexual Assault Response Team (SANE/SART) training, Local Law Enforcement Training and revising sexual assault response protocols.

The service area where the proposed project will take place Sarpy County, Nebraska, a community just minutes south of Nebraska’s largest city, Omaha. It includes the cities of Bellevue, Papillion, La Vista, Gretna, Springfield, as well as Offutt Air Force Base. While Sarpy County is the smallest county in the State of Nebraska in its size, it has the third largest and the fastest growing population – 169,331 citizens as of 2013 census estimates. The people impacted by this project will be survivors of domestic and dating violence, sexual assault, and stalking.
Memorandum of Understanding

WHEREAS, Heartland Family Service, Sarpy County, La Vista Police Department, Papillion Police Department, Bellevue Police Department and Methodist Hospital have come together to collaborate and to make an application for the Office on Violence Against Women Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking grant; and

WHEREAS, the partners have agreed to enter into a collaborative agreement in which Heartland Family Service will be the lead agency and named applicant and Sarpy County, La Vista Police Department, Papillion Police Department, Bellevue Police Department and Methodist Hospital will be partners in this project; and

WHEREAS, the partners herein desire to enter into a Memorandum of Understanding setting forth the services to be provided by the collaborative; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to the Office on Violence Against Women on or before March 3, 2016;

I) Description of Partner Agencies

Heartland Family Service (HFS) will be the Lead Fiscal Agent and primary victim service provider for victims of domestic violence, dating violence, stalking and sexual assault crimes in Sarpy County. HFS’s mission is to strengthen individuals and families in the community through education, counseling, and support services. HFS was founded in 1875 and serves more than 50,000 individuals of all ages each year from more than 17 locations in east central Nebraska and Southwest Iowa. Its 55 programs provide critical human services to the individuals and families who ultimately shape the future of our community in the following focus areas:

- Child & Family
- Counseling & Prevention
- Housing & Financial Stability

The HFS Domestic Abuse and Sexual Assault Program has been helping victims of intimate partner violence in Sarpy County since 1979. Program goals are to keep the victims safe, hold the perpetrator accountable, stop the violence and raise public awareness about domestic and sexual abuse. As the only victim service provider in Sarpy County, HFS provides a 24-hour crisis line, Safe Haven concealed shelter, outreach and support services, educational groups for male batterers, therapeutic services, and community education and prevention services. HFS is also the entity responsible for the coordination of the County’s Coordinated Response Team (CRT).
Sarpy County, Nebraska is the unit of local government, partnering with HFS for the proposed project. Sarpy County’s vision statement is to improve the quality of life in Sarpy County by providing responsive, efficient, and high quality public services that promote the self-sufficiency, well-being, and prosperity of individuals, families, businesses, and communities.

Sarpy County’s criminal justice entities include the following: County and District Court, County Attorney and Child Support Enforcement, Public Defender, Sarpy County Sheriff’s Office, Sarpy County Jail Administration, Sarpy County Adult and Juvenile Diversion, Sarpy County Adult Pre-Trial Release Services (Community Corrections), Sarpy County Juvenile Justice Center and Reporting Center, Sarpy County Victim/Witness Unit, Sarpy County CASA Program, Juvenile and Adult Community Services, Sarpy County Adult and Juvenile Drug Treatment Courts, and Sarpy County Human Services. In addition, Sarpy County is the seat for District #2 State Juvenile and Adult Probation.

As a result of this proposed project Sarpy County’s Victim/Witness Unit will enhance its working relationship with HFS to provide assistance to victims of domestic violence, sexual assault, dating violence and stalking. Sarpy County Victim/Witness Unit was established in 1985 under the auspices of the Sarpy County Attorney’s Office, the Victim/Witness Unit of Sarpy County is a program set up to aid victims of crime who are unaware of the avenues of assistance open to them. The majority of the crime victims are not knowledgeable of the procedures necessary to obtain assistance, or they are too traumatized or injured to cope with the problem.

The Victim/Witness Unit is a free public service offering information, practical assistance, and counseling referrals to victims of crime in the Sarpy County area. The goals of the Victim/Witness Unit include the following:
- Improve victim/witness treatment
- Increase victim consideration
- Increase victim knowledge
- Improve community attitude

The Sarpy County Adult Probation will also enhance its partnership with HFS through this proposed project. Sarpy County Adult Probation employs 35 full-time Probation Officers. These individuals help ensure that offenders are held accountable for their actions. Pre sentence investigation (PSI) probation officers work with HFS Victim Advocates to include victim information and input in the PSI report. Additionally, they work with Advocates to make contact with victims when offenders are placed on probation.

La Vista Police Department
The La Vista Police Department employs 34 sworn officers and 5.5 civilians to serve a population of approximately 17,550 citizens. Its mission is to provide a safe and secure environment for everyone who lives, works and does business in the City of La Vista through the effective and efficient delivery of professional, positive and innovative services. The men and women of the La Vista Police Department are a dedicated, well trained, and enthusiastic group of professionals who take pride in their work. They utilize the most modern and progressive law enforcement techniques and provide exemplary service.
Papillion Police Department
The Papillion Police Department employs 43 sworn officers and 5 civilians to serve a population of approximately 23,200 citizens. The Papillion Police Department was awarded C.A.L.E.A. Advanced Accreditation in 2012. This award recognizes the Department for being in a select class of law enforcement agencies nationwide. Its mission is to foster a safe community by responding to crime, addressing community concerns related to safety, and maintaining an effective presence throughout Papillion. The Papillion Police Department holds its officers accountable to the department’s values which are efficiency, competency, and problem solving with honesty, empathy and fairness.

Bellevue Police Department
The Bellevue Police Department employs 98 sworn officers and 20 civilians to serve a population of approximately 54,000 citizens. It is a full service police organization made up of four bureaus and six patrol districts. Part of its mission is to work with our community to prevent problems or to solve them before they negatively impact a person’s quality of life. With this in mind, the Bellevue Police Department is constantly striving to provide the most efficient police services possible. The Bellevue Police Department is committed not only to law enforcement, but also to working with citizens to identify and solve problems within the community. The department as a whole has adopted the community oriented policing philosophy and works together with citizens to identify and solve problems which affect the citizens as well as the quality of life in Bellevue.

Methodist Hospital
For more than 120 years, Methodist Hospital has cared for Nebraska’s families. Dedicated to superior service and a deep understanding of patient care, Omaha's Methodist Hospital sets the standards for health care. With more than 2,000 full-time employees and over 400 physicians on active staff, Methodist Hospital has a tradition of providing quality health care to the region in cardiovascular surgery, neurosurgery, women’s services, cancer care, gastroenterology, orthopedics, and comprehensive diagnostic services. Founded in 1891 by members of the Methodist Church in Omaha, Nebraska Methodist Hospital, is a not-for-profit, 423-bed acute care hospital serving the metropolitan-Omaha area, including Sarpy County. Nebraska Methodist Hospital admits approximately 22,000 patients every year.

Methodist Hospital offers the only Sexual Assault Nurse Examiner/Sexual Assault Response Team (SANE/SART) program in the community. Sexual assault and domestic violence services are available 24 hours per day, every day of the year, and are located adjacent to the Emergency Department to ensure privacy. The Sexual Assault Response Team is specially-trained to work with anyone experiencing this type of trauma. The team includes: a Sexual Assault Nurse Examiner, a physician, a Victim Advocate and a Law Enforcement Officer.

II) History of Relationship

Heartland Family Service, Sarpy County and the remaining project partners have worked closely together since 1997 when the County’s Coordinated Response Team was created. Known in the community as the Coalition Against Sexual and Domestic Abuse or CASDA, the county’s CRT has been working together to offer a comprehensive, unified response to victims of intimate
partner violence in Sarpy County for nearly twenty years. Heartland Family Service is the primary resource for crime victims dealing with domestic violence, dating violence, sexual assault and stalking and is the lead and coordinating entity of the CRT.

Examples of the positive working relationship between the partners listed in the MOU include the following:

- Monthly participation in CRT meetings to review protocols and staff cases
- Attendance by HFS staff at Law Enforcement roll call meetings to update officers on CRT information
- Training of Law Enforcement staff by CRT members and HFS staff on sexual assault and domestic violence protocols
- Development of data tracking documents (between law enforcement and HFS) to expedite the provision of services to victims
- Co-location of HFS Victim Advocate at Probation Office to assist with pre-sentence investigation preparation

HFS, Sarpy County and their partners share a commitment to providing quality services to victims of intimate partner violence and to holding offenders accountable for their actions.

III) Development of Application

HFS has a long and successful relationship with Sarpy County and the other partners in the proposed project, as well as the additional members of the Sarpy County CRT. During monthly CRT meetings, members discuss the current system gaps and problems. Members of the CRT identified the needs addressed herein, including additional victim support at the Victim/Witness Unit, training for Law Enforcement on sexual assault response best practices, and training for forensic nurses at Methodist Hospital. Additionally, it became evident that the participation of HFS in the Douglas County GEAP grant project was not fulfilling the needs of Sarpy County victims. Therefore, HFS and Sarpy County began collaboration on this grant application to best serve the needs of Sarpy County.

This project will enhance the response to sexual assault and domestic violence cases in our community. Sarpy County will strengthen and revitalize its community’s coordinated response to domestic violence, sexual assault, dating violence and stalking. Through this proposed project, members from CASDA will attend national training and bring back vital resources and information to other members of our response team. Through these trainings, CASDA will update its sexual assault protocol to match best practices across the country and strengthen our SANE/SART program. Additionally, funding will support a PRAXIS International safety and accountability audit of our community’s response to victims of sexual assault, domestic violence, dating violence and stalking. This systems analysis will focus on victim service provision and will utilize the assistance of the CASDA partners including Sarpy County Victim/Witness and Adult Probation, local law enforcement and Methodist Hospital.

IV) Roles and Responsibilities

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:
1) Heartland Family Service will hire two full-time Advocates to assist victims in the Sarpy County community.
   a. One Advocate will be placed 20 hours per week in the Victim/Witness Unit to assist with filing protection orders and provide immediate crisis intervention for the victims involved in criminal cases related to domestic violence, dating violence, sexual assault or stalking. The Advocate's remaining time will be at HFS responding to immediate calls for victim advocacy.
   b. The second Advocate will be placed 20 hours per week in the Sarpy County Adult Probation Office to assist with the pre-sentence investigations and victim impact statements. This Advocate will contact victims when their offenders are released on probation and also provide help to victims needing referrals to legal services, safety planning, medical and therapeutic treatment. The Advocate's remaining time will be at HFS responding to immediate calls for victim advocacy.

2) Heartland Family Service will provide emergency legal assistance with filing harassment or domestic abuse protection orders to victims of domestic violence, dating violence, sexual assault, and stalking.

3) The Sarpy County Victim/Witness Unit will make available office space, furniture, and equipment to an HFS Advocate for 20 hours per week.

4) Sarpy County Victim/Witness Unit will provide crisis intervention, criminal justice advocacy, referral information, assistance with Victim/ Impact Statements, victim compensation and protection orders to victims of domestic violence, dating violence, sexual assault, and stalking.

5) Sarpy County Victim/Witness Unit will also assist with preparing the victim for court, attending court hearings with the victim, assisting in preparing the victim for depositions, attending depositions with the victim.

6) Sarpy County Adult Probation Office will make available office space, furniture, and equipment to an HFS Advocate for 20 hours per week.

7) Sarpy County Adult Probation Office will work with an HFS Advocate to ensure inclusion of the victim component in pre-sentence investigations on all domestic violence, dating violence, sexual assault and stalking related cases.

8) La Vista, Papillion and Bellevue Police Departments will provide personnel to attend national Sexual Assault trainings once during the grant period. Personnel will bring back information on best practices to help inform the CRT's sexual assault response protocols.

9) Methodist Hospital will send 10 nurses to the International Association of Forensic Nurses conference in 2017. The attendees will utilize this training to inform their practices with victims of sexual assault.

10) Heartland Family Service will provide personnel to attend PRAXIS International training in 2017. This training will provide the foundation for a safety and accountability audit of our community’s response to victims of sexual assault, domestic violence, dating violence and stalking.

11) Heartland Family Service will provide 2 staff to attend required annual training conducted by the Office on Violence Against Women.

12) Sarpy County Victim/Witness Unit will provide 1 staff to attend required annual training conducted by the Office on Violence Against Women.

13) Heartland Family Service will ensure all performance reports are completed on time as specified by the grantor after funding is approved.
14) Sarpy County, Methodist Hospital and Law Enforcement agencies will provide to HFS Fiscal Administration all relevant invoices for payment in the time specified after grant funding is approved.

15) Sarpy County, Methodist Hospital and Law Enforcement agencies will fully cooperate with HFS Fiscal Administration, HSF Grant Coordinator, and HFS Sarpy County Emergency Services Program Director when data or information is required by the grantor.

16) Heartland Family Service will convene quarterly grant meetings with all project partners to discuss the progress made toward grant objectives, review any needed modifications to the grant budget and timeline and ensure that the activities and expenditures outlined in the grant application are being carried out.

V) Timeline

The roles and responsibilities described above are contingent on Heartland Family Service receiving funds requested for the project described in the OVW grant application.

Responsibilities under this Memorandum of Understanding would coincide with the grant period, anticipated to be 10/01/2016 through 09/30/2019.

VI) Commitment to Partnership

1) The collaboration service area includes all of Sarpy County Nebraska, including the cities of Bellevue, LaVista, Papillion, Springfield, and Gretna.
2) The partners agree to collaborate and provide domestic violence and sexual assault victim services and training attendance pursuant to the program narrative of the grant application attached to this agreement.
3) Compensation for this project will be provided as outlined in the attached OVW budget detail worksheet.
4) Upon notification of award from OVW, Heartland Family Service and its partners will enter into a formal agreement which will outline in detail, the awarded budget, funding allocation, resources, timeline, grant reporting requirements, and other certifications and assurances required by the grantor.
5) We, the undersigned have read and agree with this MOU. Further, we have reviewed the proposed project and approve it.

By _______________________________ Date 3/2/16
President & CEO, Heartland Family Service

By _______________________________ Date 3-1-16
Chairman, Sarpy County Board of Commissioners

Approved as to form: _______________________________ Date 2-26-16
Deputy County Attorney, Sarpy County
By [Signature]  
Chief, La Vista Police Department

Date 2/29/2016

By [Signature]  
Chief, Papillion Police Department

Date 03/01/2016

By [Signature]  
Chief, Bellevue Police Department

Date 3/1/16

By [Signature]  
Methodist Hospital

Date 3/3/16

cc: Agencies and Interested Parties
March 1, 2016

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

Dear Director:

I certify that Sarpy County, Nebraska laws and regulations will not be in compliance with the requirements of 42 U.S.C. § 3796hh(d) by the period ending in the date on which the next session of that state legislature ends April 20, 2016, to wit:

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

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

(C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B); or gives the Attorney General assurances that its laws and regulations will be in compliance with requirements or paragraph (1) by the period ending on the date on which the next session of the state legislature ends.

I further acknowledge that should Sarpy County, Nebraska receive an Improving Criminal Justice Responses Program award, five percent of the total award will be withheld until such time that OVW receives and approves documentation that supports compliance or our exemption from the certification required. Acceptable documentation includes statutes, regulations, or written policies.

Sincerely,

[Signature]

Don Kelly
Chairman
Board of Commissioners
March 1, 2016

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

Re: Improving Criminal Justice Responses Program

Dear Director:

As Chief Executive Officer of Sarpy County, Nebraska I submit this letter to certify to the following:

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

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

Sincerely,

[Signature]

Don Kelly
Chairman
Board of Commissioners