



STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE
33 CAPITOL STREET
CONCORD, NH 03301

STATE VICTIM ASSISTANCE GRANT APPLICATION – COVER PAGE

a) Program Title County Victim Witness Advocate

b) Authorized Purpose Area Not Applicable

c) Grant Starting Date July 1, 2014 Ending Date June 30, 2015

d) Program Implementation Date July, 2014 e) State Funds Authorized \$25,000

f) Agency Name Belknap County

g) Chief Elected Official/Head of Agency

Name John H. Thomas Title Commissioner - Chair

Contact Information: Telephone: 603-527-5400 Fax: 603-527-5409
Email: jthomas@belknapcounty.org

h) Program Director

Name Melissa C. Guldbrandsen Title Belknap County Attorney

Contact Information: Telephone: 603-527-5440 Fax: 603-527-5449
Email: mguldbrandsen@belknapcounty.org

i) Fiscal Officer

Name Glen Waring Title Finance Director

Contact Information: Telephone: 603-527-5400 Fax: 603-527-4909
Email: gwaring@belknapcounty.org

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Program Description

Briefly describe the program to be funded including collaborative partners, services to be provided, education and outreach efforts to underserved populations and culturally diverse groups, etc. Attachments are welcome.

- Provides crisis intervention/support to victims and witnesses to meet urgent emotional or physical needs.
- Makes referrals about available social mental health and medical services that may assist victims and witnesses.
- Serves as the victims'/witnesses' guide through the criminal justice process, advising of the status of cases, hearing dates, plea negotiations, etc.
- Advises victims of the NH Victims Compensation Program for medical bills, medications, counseling costs, lost wages, moving costs, funeral bills, etc. and assists victims in applying for the program.
- Notifies all victims of each court appearance and hearings on a defendant's case.
- Works with clerk of court on scheduling matters.
- Coordinates victims'/witness' scheduled court appearances to minimize inconvenience and disruption.
- Prepare witnesses for testifying to allay fears; instill a positive attitude toward the criminal justice system to assist with providing the State with cooperative, competent, well-informed witnesses.
- Attends depositions, motions hearings and trials to provide support and information to victims/witnesses.
- Assists prosecution team with trial strategies.
- Locates victims/witnesses who have dropped out of sight.
- Advise victims of their rights under RSA 21-M:8-k, including the right to address the court at sentencing, the right to be notified of parole board hearings and other sentencing changes and the right to be notified of an appeal.
- Assists victims with the preparation of victim impact statements and reading those statements to court.
- Assist witnesses in obtaining witness fees.
- Facilitate the swift return of property being used as evidence.
- Assist victims and witnesses in obtaining protection from harm or threats of harm arising out of cooperation with the judicial process.
- Increase public education/awareness regarding victims' needs.
- Contact victims' insurance companies, hospitals, and medical officers to get restitution documents for sentencing.
- Participate on County Multi-Disciplinary Team at the Greater Lakes Child Advocacy Center for child victims of physical and sexual assault.
- Liaison with other state victim programs.

Program Goals, Objectives & Effectiveness

The goals and objectives of the program for the grant period are to continue and improve our efforts to assist victims in the Belknap County Superior Court and to prevent re-victimization through the criminal court process. In particular, we continue to reach out to victims early on in the court process and to gather input from them to enable plea offers to be made at the earliest practicable time and to facilitate communication about the justice process. The goal for this will be to determine early on in the prosecution, which cases will go to trial and which can be resolved through negotiated dispositions and/or settlement conferences.

The coordinator can then spend the extra time needed focusing on trial preparation with victims who require this. With our input, our court has built in a time schedule for plea offers and negotiations at the dispositional conferences which are held 30 days after the arraignment. If someone doesn't plead guilty at that time they will have another opportunity at the pretrial conference date in advance of trial.

The court is also participating in a process called "settlement conferences", which includes a mechanism for victims to be included and give input on what they recommend for a sentence for the defendant.

Early resolution of a case may assist us with assuring that victims will not needlessly be inconvenienced or experience the stress of wondering if a defendant will step up to the plate or not or if they will have to gear up to testify.

Many times the effectiveness of our program is measured by the thanks and praise we receive from victims and other participants in the process. Other times we take note of complaints or gripes in revising our program. For instance, as a result of feedback we have instituted notices to be sent to victims via e-mail for timely notifications.

We continue to work with law enforcement in making referrals to our office even long before charges are brought so we can support them in the interim or assist with explaining why there is a delay in the arrest or prosecution. In addition, we are meeting with victims in advance of grand jury indictments and have attempted to keep them apprised of the investigation and pre-indictment process that may involve bail revocation or bail review hearings.

We have established a better procedure for last minute witness notification to avoid needless trips to court when the docket experiences sudden changes. This is an area, which we are constantly trying to improve and work with the court system as well.

The Greater Lakes Child Advocacy in Belknap County provides for earlier intervention in those cases that are referred to the County Attorney's Office. The Victim/Witness Coordinator is a member of the child protection team.

Benefits of this Funding

In 2013, the Belknap County Attorney Victim Witness Coordinator assisted 153 new victims. As you're aware, the Belknap County Attorney's Office has only 1 Victim/Witness Coordinator who is responsible for all these cases. The Victim Witness Coordinator to the County Attorney's Office helps to create cooperating victims and witnesses which assist in the prosecution of crimes. Additionally, victims of crime are traumatized and need guidance through the criminal justice system. The victims need notification of every court hearing, motion filing and status of their cases. The Victim Witness Coordinator assists the prosecutor in communicating to the victim the case status as the Victim Witness Coordinator has more interaction with the victim. The Victim Witness Coordinator collects the restitution documents from victims for the restitution figures that are necessary for each case. The Victim Witness Coordinator makes notes of any input the victim provides for the outcome of each case. If the defendant is breaking bail conditions by contacting the victim, the Victim Witness Coordinator would provide information on reporting the bail violation and follow up to the police department. Many times the police department request the bail condition in writing so the Victim Witness Coordinator faxes the bail conditions so they may follow up with the victim.

Our office prosecuted a 53 year old defendant for charges of Manslaughter, Negligent Homicide, Second-Degree Assault, Possession of Narcotic Drug, Illegal Possession of a Prescription Drug and other minor traffic violations. Two 14 year girls were on the sidewalk and were walking home after school and were hit by this defendant by her vehicle. One girl later died and the other girl was severely injured.

The Victim Witness Coordinator assisted the families of the deceased and the family of the injured girl. Every one of the families was grieving and needed support throughout the whole process. She kept them informed of the court dates, proceedings and status of the case. She prepared them for every hearing, provided emotional support, assisted in gathering the restitution documents and victim impact statements. In this case there was an arraignment in district court, arraignment and bail hearing in Superior Court, dispositional hearing, motion hearing and pre-trial, plea hearing and then a sentencing hearing.

In this case and in many cases, hearings and trials may be postponed for a variety of reason, causing a great deal of stress and frustration to the victims and survivors. In this case, the defendant hired a new lawyer and fired her old one. That also caused a delay in the proceedings. Many times we would get right up to the hearing date or just before and it would be continued. Information to the victim and the survivors were given by phone, mail, e-mail and in person. Any motion filed in this case and answer was scanned and sent to each victim's families and attorneys. This was a very public case and they had to deal with countless articles in the newspaper. Some of the articles had misinformation in them. It caused much pain to them. The Victim Witness Coordinator is the liaison between the County Attorney and the victims' families. In many cases, as like this one, the Victim Witness Coordinator set up meetings several times during the pendency of the case to discuss the legal issues, discussed plea possibilities, and answered questions. Many hours were spent on the phone and in person to assist each one. In cases where the defendant receives a prison sentence the Victim/Witness Coordinator notifies the victim services division of the prison of the families' names and addresses for notification of parole hearings and any movement in the prison system. In this case, as in other cases, if the defendant files any post sentencing motions the family would need to be aware of that filing and

the possible consequences of any filing. If there are further hearings, they also need to know the date and time and know that they have a right to attend if they want to.

During this whole process support services to the victim are essential to their recovery. This was only one case example of the service to our community by the Belknap County Victim Witness Coordinator, without which prosecutions would be difficult at best.

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BUDGET ITEMIZATION

Project:	Applicant:				
A. PERSONNEL (Job Title)	Annual Salary	Allowable%	State Funds	Other Funds	Total Budget
Victim/Witness Coordinator	60,787.	40 hrs/wk	25,000.	35,787.	60,787.
Subtotals			25,000.	35,787.	60,787.
SOCIAL SECURITY & OTHER FRINGE BENEFITS (Itemize)					
Subtotals Fringe					
Subtotals, Personnel & Fringe					
B. CONTRACTUAL SERVICES					
Subtotals					
TOTAL			25,000.	35,787.	60,787.

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BUDGET ITEMIZATION (CONT'D)

	State Funds	Other Funds	Total Budget
C. TRAVEL			
Subtotals			
D. FACILITY COST			
Subtotals			
E. OTHER COSTS			
Subtotals			
F. EQUIPMENT PURCHASES (Description, Quantity, Unit Price)			
Subtotals			
GRAND TOTALS	25,000.	35,787.	60,787.

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BUDGET NARRATIVE

Please provide further explanation of the itemized budget as necessary. This should include the source of Other Funds (no match is required); breakdowns of costs such as benefit %'s, etc.

The salary figure in the budget is \$60,787. This salary has remained the same for the past two years due to no COLA or pay increases. The position is full time. This pay rate is in line with pay for Victim Witness Advocates.

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STATE VICTIM ASSISTANCE PROGRAM GUIDELINES AND CONDITIONS

I, the below-named individual, on behalf of the below-named agency (hereinafter referred to as "subgrantee"), am legally authorized to submit and accept grants on behalf of the applicant agency, and hereby certify that the grant program outlined in this application package will adhere to the following guidelines and conditions:

1. The subgrantee assures that State funds received for this grant program **will not** be used to supplant county and/or local funds that would otherwise be available for the program's purpose. The subgrantee further assures that the grant funds will be expended only for purposes and activities directly related to the funded program.
2. The subgrantee agrees to provide information on the program supported with State grant funds as requested by the New Hampshire Department of Justice, Grants Management Unit.
3. The subgrantee authorizes representatives from the New Hampshire Department of Justice to access and examine all records, books, papers, and/or documents related to the program's grant funds. Further, the subgrantee agrees to allow and cooperate with site monitoring visits by the New Hampshire Department of Justice.
4. The subgrantee agrees to maintain detailed time and attendance records for any personnel positions funded with these grant funds where 100% of the position's activities are not directly related to the funded program. For personnel positions that are 100% allowable under the funded program, normal payroll records and documentation are sufficient.
5. The subgrantee agrees to obtain prior written approval from the New Hampshire Department of Justice before making changes in program activities, designs, budgets, etc. as outlined in the subgrantee's approved grant application.
6. Equipment purchased with State grant funds shall be listed by the subgrantee on the agency inventory. The inventory must include the item description, serial number, cost, location, and percentage of State grant funds.
7. The subgrantee agrees that the title to any equipment purchased with State grant funds will revert back to the New Hampshire Department of Justice, Grants Management Unit, when it is no longer being used for the program purposes for which it was acquired.
8. The subgrantee agrees to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used by the subgrantee to verify that persons employed by the subgrantee are eligible to work in the United States.

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STATE VICTIM ASSISTANCE PROGRAM GUIDELINES AND CONDITIONS
(Continued)

9. The subgrantee agrees to inform victims and/or their guardians about the State Victims Compensation Program and to offer assistance in the application process (this assistance may simply entail a referral to a victim/witness advocate and/or victim advocate to facilitate the process).

10. Grants are funded for the grant award period noted on the grant award document. No guarantee is given or implied of subsequent funding in future years.

11. The subgrantee agrees by signing and returning the award document to the NH Department of Justice that they shall submit a quarterly expenditure report for financial reimbursement. Quarterly reports are due 15 days after the end of the quarter, for example if the reporting period is July 1 to Sept. 30 your report is due in this office by October 15th. If necessary the subgrantee may file for reimbursement on a monthly basis with the same 15 day grace period. Please submit only one copy of your report by email, fax or US Mail.

The following three conditions are not required, but are strongly recommended

12. The subgrantee assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination within the three years prior to the receipt of the federal financial assistance and after a due process hearing against the subgrantee on the grounds of race, color, religion, national origin, sex, age, or disability, a copy of the finding will be submitted to the New Hampshire Department of Justice, Grants Management Unit and to the U.S. Department of Justice, Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531. For additional information regarding your obligations under civil rights please reference the state website at http://doj.nh.gov/grants/civil_rights.html and understand if you are awarded funding from this office, civil rights compliance will be monitored by this office, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

13. If required, within 30 days from the date of the award, the subgrantee will submit for approval, an acceptable Equal Employment Opportunity Plan (EEOP) as required by 28 CFR 42.301 et seq. or a Certification Form to both the NH DOJ and the Office of Civil Rights, Office of Justice Programs, US DOJ at 810 7th Street, NW, Washington, DC 20531. Failure to submit an approved EEOP or Certification is a violation of the Program Guidelines and Conditions and may result in suspension or

termination of funding, until such time as the subgrantee is in compliance. Additional information on EEOP requirements may be found here:

http://doj.nh.gov/grants/civil_rights.html.

14. The subgrantee must certify that Limited English Proficiency persons have meaningful access to any services provided by this program. National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with these requirements. The guidance document can be accessed on the Internet at www.lep.gov.

John H. Thomas

Name and Title of Authorized Representative

Signature

Date

Belknap County, 34 County Drive, Laconia, NH 03246

Name and Address of Agency

**NH DEPARTMENT OF JUSTICE - GRANT APPLICATION
APPLICATION CHECKLIST**

Please be sure that the following sections are completed and returned with your grant application. Please include a completed copy of this checklist in your application.

- COVER PAGE**
- PROGRAM DESCRIPTION**
- PROGRAM GOALS, OBJECTIVES & EFFECTIVENESS**
- BUDGET ITEMIZATION**
- BUDGET NARRATIVE**
- SIGNED PROGRAM GUIDELINES AND CONDITIONS**
- MOST RECENT AGENCY AUDIT**
- MOST RECENT IRS FORM 990 (non-profits only)**
- CURRENT MEMBERS OF YOUR BOARD OF DIRECTORS
(non-profits only)**

Any questions regarding this application should be directed to Susan Dearborn at 271-8091 or susan.dearborn@doj.nh.gov.

Please return your completed application by June 30, 2014 to:

**Susan Dearborn, Grants Management Unit
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301**

**Or by email to
susan.dearborn@doj.nh.gov.**