

Civil Rights Training for Montana Board of Crime Control OVW Subrecipients



Source: Office for Civil Rights,
Office of Justice Programs

Violence Against Women Act

No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under [VAWA], and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

VAWA (cont.)

If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

VAWA (cont.)

Nothing in this title shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this title.

VAWA (cont.)

- October 1, 2013 effective date
- Covers employment practices
- “actual or perceived”
- Applies to all recipients

VAWA (cont.)

- Sex-Segregated Programming
 - When males and females receive services in separate settings
- Sex-Specific Programming
 - When a recipient designs programming differently for males and females
- Beneficiaries choose the appropriate program based upon gender identity

VAWA (cont.)

- “Necessary for the Essential Operation of the Programming”
 - Fact-specific inquiry; consider:
 - Nature of the service
 - Consequences to beneficiaries of making sex-segregated or sex-specific
 - Literature on Efficacy
 - Impact on transgender clients
- Reasons may not be trivial, based solely on convenience, or rooted in stereotypes

VAWA (cont.)

- Comparable Services
- Consider the following:
 - Nature, quality, and duration of the service
 - Relative benefits of different therapeutic modalities
 - Geographic location

VAWA (cont.)

- What is Gender Identity?
 - “Actual or perceived gender-related characteristics” (from Matthew Shepard- James Bird Hate Crimes Prevention Act)
 - A person’s internal view of the individual’s gender
 - May or may not correspond to sex assigned at birth
 - Transgender, male, and female are examples of gender identities

VAWA (cont.)

- Serving Transgender Clients
 - Assign clients to service which corresponds to the gender with which the client identifies
 - Consider transgender victim's health and safety in making housing assignments
 - Transgender client's own views regarding personal safety deserves serious consideration
 - Do not isolate or segregate
 - Do not make burdensome demands for identity documents
 - Do not inquire into surgery or other medical interventions

Training Certification

- Click on the link to access the training certification. [OVW Civil Rights Training Certification](#). Complete the certification
- Upload signed certification with VAWA application to MBCC.
 - Each person funded under the grant must complete this training and submit the signed certification to MBCC.
 - If there is change in the Project Director, the new Project Director must complete the training and send the signed certification to MBCC.

Montana Board of Crime Control

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