



N.C. Governor's Crime Commission

Acknowledgement of Compliance with the Confidentiality and Privacy Provisions

Under the program rules at 28 CFR 94.115 of the Victims of Crime Act, Section 40002(b)(2) of the Violence Against Women Act, as amended (42 U.S.C 13925(b)(2), and 42 U.S.C 5676 Section 299E of the Juvenile Justice and Delinquency Prevention Act, subgrantees are required to meet the following terms in regard to nondisclosure of confidential or private information and to document their compliance. By signature on this form, applicants for grants from the Office of Justice programs acknowledge that that they are required to comply with these provisions, and will create and maintain documentation of compliance, such as policies and procedures for the release of victim information.

- (A) In general: In order to ensure the safety of juveniles, crime victims, and adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this subchapter shall protect the confidentiality and privacy of persons receiving services.
- (B) Nondisclosure: Subject to subparagraphs (C) and (D), grantees and subgrantees shall not—
 - (i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or
 - (ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

- (C) Release: If release of information described in subparagraph (B) is compelled by statutory or court mandate—
 - (i) grantees and subgrantees shall make reasonable attempts to provide notice to persons affected by the disclosure of information; and
 - (ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.
- (CI) **Information sharing:**
 - (i) Grantees and subgrantees may share—
 - (I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to be compliant with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

- (II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and
 - (III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.
- (ii) In no circumstances may—
- (I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;
 - (II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.
- (E) **Statutorily mandated reports of abuse or neglect:** Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.
- (F) **Oversight:** Nothing in this paragraph shall prevent the Governor’s Crime Commission from disclosing grant activities authorized through this award to the members of the Governor’s Crime Commission and other staff of the Governor’s Crime Commission. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.
- (G) **Confidentiality assessment and assurances:** Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

As the duly authorized representative of the applicant, I hereby acknowledge that the applicant has received notice that if awarded funding they will comply with the above statutory requirements. This acknowledgement shall be treated as a material representation of fact upon which the Department of Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Project Name	Project Number	
Agency		
Signature, Authorizing Official	Authorizing Official (Print Name)	Date
Signature, Project Director	Project Director (Print Name)	Date