

**2013/2014 AMENDMENT ONE TO AGREEMENT BETWEEN  
THE STATE OF FLORIDA  
OFFICE OF THE ATTORNEY GENERAL  
AND**

**New Smyrna Beach Police Department**

**Grant No.: V13131**

The Office of the Attorney General (the OAG) and the New Smyrna Beach Police Department (the Provider), entered into an Agreement for the Provider to provide services for the State under the Victims of Crime Act (VOCA) Grant Program for the fiscal year 2013/2014; and

WHEREAS, Article 24 specifically states, modification of any provision of this contract must be mutually agreed to by all parties, and requires a written amendment to this Agreement; and

WHEREAS, there is now a need to add Article 34 and Article 35.

NOW THEREFORE; the parties have mutually agreed to modify the Agreement as follows:

Article 34 and 35 are hereby added to the Agreement:

**ARTICLE 34. Nondiscrimination in Programs Involving Students**

The Provider shall not use award funding to discriminate against students that are participating in (or benefiting from) programs that are funded by those same federal funds. For example, the Provider cannot use VOCA funding to treat a Catholic student differently than a non-Catholic student when both are applying for, or receiving benefits from, the VOCA program. This same protection also applies to the student's parent or legal guardians.

**ARTICLE 35. Section 539 of the Consolidated and Further Continuing Appropriations Act, 2013, Computer Network Requirement**

Section 539 of the Consolidated and Further Continuing Appropriations Act, 2013 (which includes the Department of Justice Appropriations Act, 2013) provides –

**SEC. 539. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. (b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.**

Any subgrantee that falls within the types of entities described in Section 539(b) is exempt from this requirement. Any subgrantee that did not fall under the exemption must comply with the requirement.

Amendment Attachment "A" Section 539 Certification Form is hereby incorporated by reference.

IN WITNESS WHEREOF, the OFFICE OF THE ATTORNEY GENERAL and the New Smyrna Beach Police Department have executed this amendment to the Agreement.

  
\_\_\_\_\_  
**Authorizing Official**

George E. Markert


\_\_\_\_\_  
**Print Name**

1/6/14

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**FEID # of Provider**

\_\_\_\_\_  
**SAMAS Code**

  
\_\_\_\_\_  
**Director of Administration**

John L. Hamilton

\_\_\_\_\_  
**Print Name**

1-14-14  
\_\_\_\_\_  
**Date**

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OFFICE OF THE ATTORNEY GENERAL

## Amendment Attachment A

### Victims of Crime Act (VOCA) Section 539, Consolidated and Further Continuing Appropriations Act, 2013, Special Conditions Certification Form

The US Department of Justice, Office for Victims of Crime has notified the Office of the Attorney General (OAG) of an additional special condition requirement for fiscal year 2013 VOCA grant awards. Please complete the information below and return to the Office of the Attorney General with the signed Amendment. If the completed original Attachment and original Amendment are not received by December 31, 2013, the OAG will not be able to process grant reimbursement requests for payment.

Section 539 of the Consolidated and Further Continuing Appropriations Act, 2013 provides the following requirement:

#### Computer Network Requirement

The recipient understands and agrees that:

- a) No award funds may be used to maintain or establish a computer network system unless such network blocks the viewing, downloading, and exchanging of pornography, and
- b) Nothing in item (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
  - Each VOCA subgrantees must have some type of blocking software, if their networks are supported ("maintained") by VOCA funds;
  - This includes the purchase of new computer equipment (computers, monitors and printers), or software of any kind (new and/or updates) for the computer network system.

#### AGENCY CERTIFICATION:

- VOCA funding is **NOT USED** to maintain or establish a computer network system.
- OR -
- VOCA funding is **USED** to maintain or establish a computer network system. However, the computer network system is (select one below):
- Is currently** blocking the viewing, downloading, and exchanging of pornography, or
  - Is not able** to block the viewing, downloading and exchanging of pornography .  
Anticipated date of blocking software purchase \_\_\_\_\_. (fill in date), or
  - Exempt because organization is a Federal, State, tribal, or local law enforcement agency, or an entity carrying out criminal investigations, prosecutions, or adjudication activities.

Agency Name:	New Smyrna Beach Police Department
Name of Authorized Official:	George E. Markert
Signature and Title of Authorized Official:	<i>Chief [Signature]</i>
Date of Certification:	1/6/14

OAG Staff Only:	
<input checked="" type="checkbox"/> Approved <i>[Signature]</i> Approved By	<input type="checkbox"/> Not Approved 4/13/14 Date Approved