Model Standards for Serving Victims & Survivors of Crime
New Standards on Privacy, Confidentiality, & Data Security

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Purpose of Standards
• Clarify professional responsibility & ethical boundaries of practice
• Common toolbox of language, skills, & processes (e.g., for coordination of services, portability of skills)
• Create interagency benchmark (e.g., for assessment, reporting, goal setting)

Original Consortium (1999-2001)

Nancy Arnow, CSW VP, Family & Clinical Services, Safe Horizon—NY
Paul Freeman, MS, LPC Senior VA, Fulton County DA Office—GA
Denise Giles Victim Services Coordinator, Dept Corr—ME
Janice Harris Lord, MSW Consultant, Victim Issues—TX
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Brian Ogawa, DMin Director, Crime Victims’ Inst, Office of the Attorney General—TX
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Dan Petersen, PhD Education and Research Coordinator Washburn U. Center on Violence & Victim Studies—KS
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John Stein, JD Deputy Director, Natl Cty for Victim Assis—DC
Ed Stout, MA Exec Director, Agile for Victims of Crime, Inc. —MD
Steven Walker, PhD Professor, California State University Center for Victim Studies—CA

+ consultant members, Town Hall participants, & reviewers
New Consortium (2010-2012)

Hope Blackley, Spartanburg Clerk of Court, SC
Jackie Buckley, US Postal Inspection Service, IL
Sharon O’Eusanio, Victim Assistance & Disability Consultant, Fl.
Sheri Floyd, IA Coalition Against Sexual Assault
Barbara Grissom, SC Dept Corrections
Kim Herd, US Attorney’s Office, DC
B.J. Herr, Victim Service Consultant, PA
B.J. Herr, National Organization for Victim Assistance, DC
Jennifer Wilson Marsh, Rape, Abuse, & Incest National Network, DC
Angie McCown, TX Dept Criminal Justice
Karen Joyce-McMahon, Federal Bureau of Investigation, DC
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Kevin O’Brien, National Center for Victims of Crime, DC
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Dan Peterson, Washburn University, Joint Center on Violence & Victim Studies, KS
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Cindy Southworth, National Network to End Domestic Violence, DC
Bette Stebbins, Office of the Secretary of Defense, DC
Vicki Ybanez, Red Wind Consulting, CO

Media Demo—Video Segment

Program Standards
Guidelines for Service & Administration

• PROGRAM STANDARD 4.1: A written guideline describes the program’s procedures for maintaining client privacy, including
- Terms of service.
- Methods used to identify, contact, and obtain information about service users.
- Nature of personal information that will be requested or obtained.
- Settings in which the victim/survivor will interact with program staff.
- Victim/survivor release of information.
- Ongoing procedures for privacy protection.

• Commentary: Privacy refers to an individual’s wishes for control over the information others have about them. Programs should consider how privacy of victims/survivors may be compromised through service use, including visibility of parking and building access...
Competency Standards
Attitudes, Knowledge, & Skills

- **COMPETENCY STANDARD 3.4**: The victim assistance provider assists individual victims/survivors to address their traumatic responses to victimization.

  - Elements include the ability to
    - Identify short-term and long-term consequences of and reactions to trauma, including grief and loss and reactions in crisis situations.
    - Recognize the range of normal reactions to having been victimized (e.g., anger, self-blame, helplessness).
    - Recognize the impact of trauma on victims’ and survivors’ abilities to connect to services and to assist in the criminal justice process.

Ethical Standards
Values or Rules of Conduct

- **ETHICAL STANDARD 3.7**: The victim assistance provider does not engage in personal relationships with persons served that exploit professional trust or that could impair the victim assistance provider’s objectivity and professional judgment.

  - Commentary: When a victim assistance provider is unable to avoid a personal relationship with a person served, the victim assistance provider must take appropriate precautions, including informed consent and consultation or supervision to make sure that the victim assistance provider’s objectivity and professional judgment are not impaired. The victim assistance provider is strongly discouraged from engaging in social or business relationships with clients, both past and present. This boundary between personal versus professional relationships applies not only to in-person contact, but also to communications using electronic technologies.

Media Demo—Audio Segment
Value Framework for Standards

Inclusion
- Efforts include persons who will be held to standards
- Help bring struggling providers up to meet standards

Accessibility
- Keep standards and related policies clear & simple
- Training should be frequent, affordable, & accessible

Support
- Phase-ins, grandparenting, opportunities to improve

Successes of Standards Use

Successful integration into...
- Curricula & training academies
- Certification programs of states & organizations
- Organizational codes of ethics
- Service guidelines & performance review
Confidentiality, data security, and technology issues

- Themes woven throughout standards
- History of confidentiality & privacy
- How technology & security relate
- New world of safety planning

Privacy

- Is a victim’s right to control his or her story and personal information
- Privacy impacts a victim’s safety & healing
- Privacy influences quality of life of a victim
- Privacy impacts the chances of revictimization

Confidentiality

- Typically refers to rules prohibiting disclosure of victim information
- Is often required by local/federal laws, regulations, grant conditions, agency policies, and codes of ethics
- Limits disclosure by almost all community-based victim service providers without informed, written, time-limited release waiver
Confidentiality

• Requires that victim advocates disclose up front any limits to confidentiality
• Typically Prohibits sharing or disclosing personally identifying information (PII) or other sensitive information.
• PII = anything that would allow someone else to figure out the identity of a victim you are serving.

Potential Harm

• a dangerous abuser could gain custody of the children if a victim’s off-hand comment is shared out of context
• a victim of DV could be tracked down and killed if confidential address is disclosed
• a rape victim could receive death threats and have property destroyed if identity is disclosed to the media and the defendant’s friends

History

• Developed by victim service providers over 40 years ago as a stringent practice, allowing victims to reach out for help and know that their information would be protected
• Began being written into state and federal laws over 30 years ago
• Is now very specifically defined in many federal laws: VOCA, VAWA, FVPSA
Technology & Data Security

- Spyware Risk on agency or victim computers
- Assessing readiness for online services
- Securing all paper & electronic records, and backups
- Regularly purging narratives & excessive notes
- Password security/risks

Technology & Data Security

- Matching technology to need/audience/tenor (shiny penny problem)
- Offline rules typically apply to online world (plus more!)
- Anonymity/Re-identification/Confidentiality
- Cross border issues, mandated reporting (If you build it, they will come)

Technology & Data Security

- Security/Risk of unauthorized access
- Do no harm – unintended consequences (databases, program evaluation, logging services provided)
- Ensuring full access – mobile app vs mobile microsite, java, flash, accessibility
- Assistive technology – serving all survivors, without increasing risk
A Few Technologies to Ponder

• Cameras and security
• Social Media
• Mobile technology: Smart phones, laptops, wireless
• Online Protection Order Systems (full text, PDF or image, vs summary data)
• Microsites & Mobile Apps

A Few Technologies to Ponder

• “Anonymous” Online Reporting
• Email/Online Forms/Toolkits
• Real-time Instant Messaging/Chat
• Databases, Cloud Computing
• Texting

nnedv.org/tools
Learn more & get help

• Coalition Staff “TechAdvocates” have been attending a closed “Training of Trainers” (ToT) for the past 11 years. Tech Summit 2013/14
• The Use of Technology in Intimate Partner Stalking Conference hosted by NCVC SRC & NNEDV Safety Net, September 17 – 19, 2013 Little Rock, Arkansas (advanced training for criminal justice professionals Sept 19-20)
Ask for Help from NNEDV

Safety Net Team - General Tech or Privacy
TA: SafetyNet@nnedv.org or 202-543-5566
• Easier and faster if advocate or attorney makes first contact. Try not to have survivors call.
• Don’t need personally identifying info
• Safety Net may need to get the basics, do some research, and call or email back
• Able to schedule conference calls or sometimes come onsite for intense technical assistance/training

Questions & Discussion