



# Ethics in Victim Services





# Learning Objectives

- Define ethics in victim services
- Identify the DoD Sexual Assault Advocate Certification Program (D-SAACP) Code of Ethics
- Describe the role of self-awareness in facilitating victim centered-advocacy
- Discuss boundaries and dual relationships
- Develop ethical decision-making skills



# The beginning...



Edelstein, Linda, Ph.D. Downloaded from: <http://therapyevanston.com>.



# Defining Ethics

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- Values
- Morals
- Ethics
- Professional Ethics



# D-SAACP Code of Ethics

- All SARCs and SAPR VAs required to sign D-SAACP Code of Ethics (DD Form 2950)
  - Two (2) hours of victim advocacy ethics training required for D-SAACP renewal
- Creates department-wide standards of behavior for all SARCs and SAPR VAs
- Violations of D-SAACP Code of Professional Ethics may result in an inquiry/revocation of SARC/SAPR VA certification IAW Service policies (DoDI6495.03)



# D-SAACP Code of Ethics

- Three areas of focus:
  - Relationship with clients
  - Relationship with colleagues, other professionals and the public
  - Professional conduct



# D-SAACP Code of Ethics

- Foundation of D-SAACP Code of Ethics includes:
  - Values of client autonomy, privacy and self-determination
  - Prioritization of the victim's interests, rights and safety
  - High professional conduct and respect for allied professionals
  - Avoidance of any discrimination against victim, employee, colleague or other allied professional
  - Uphold all DoD, Federal and Service privacy laws and represent the program IAW Service policy
  - Work within one's range of competence



# Self Awareness

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- *Who do you want to be as an advocate?*
- *What is your role?*
- *How does DoD and your Service define your role?*





# Self Awareness

- Impact of:
  - Personal values/moral orientation
  - Personal bias
- Personal and professional values
  - Competing priorities
  - Multicultural competency
- Knowing your role
  - SARC vs. SAPR VA
  - Impact of your role on Command and other first responders



# Self Awareness

- Prejudgments
- Charter and Virtue
- Moral Orientations
- Truth or Consequences
- Spirituality
- Individual Rights versus the Good of the Community
- The Voice of Justice versus the Voice of Caring

Abramson, Marcia. (1996). *Reflections on Knowing Oneself Ethically: Toward a Working Framework for Social Work Practice*. Families in Society: The Journal of Contemporary Social Services.



# Self Awareness

- Be aware of your reactions to the victim
  - Avoidance
  - Anger
  - Rescue
  - Denial/minimization
  - Condemning
  - Contempt
- *What are those reactions telling you? How may they impact your boundaries with the victim, family members and other professionals?*



# The Tension for Advocates

- Advocacy is a profound relationship that is intense and involves intervening at intimate, fearful and painful levels while maintaining a formal, professional, boundaried connection
- Be clear:
  - About what you do
  - Communicate limits/boundaries
- Discussion:
  - What are some things that can make communicating with a victim challenging?



# Victim-Centered Advocacy

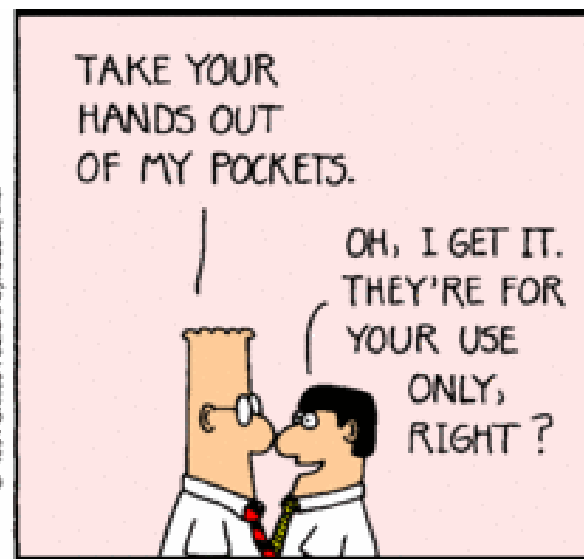
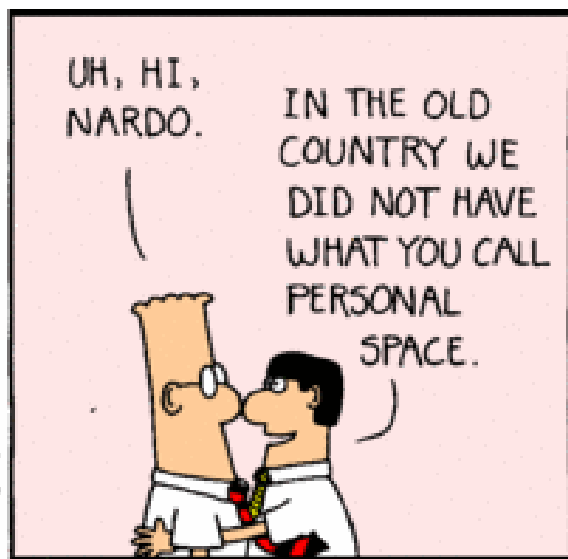
- Prioritizes individual victims' perception of safety, security, and well being
- Emphasizes that no victim is at fault for his or her victimization; only the offender is responsible for committing an offense
- Focuses on trauma-focused treatment
- Allows victims to remain engaged in the judicial process at their comfort level (when possible), and encourages emotional recovery through reclaiming control
- Encourages victim service collaboration



# BOUNDARIES



# Boundaries





# Discussion

- The term “**boundaries**” is routinely used in victim advocate trainings.
- *What does it mean to you?*
- Ethical boundary violations can be both physical (e.g., a sexual relationship) and non-physical/emotional where no one is doing anything 'wrong' (e.g., being overly familiar or intimate in a non-physical way with a victim).





# Why are boundaries important?

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- Professionalism
- Appropriate delivery of services
- Accountability



# Professional Boundaries with Victims

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- Commitment to Victims
- Self- Determination
- Competence
- Cultural Competence and Social Diversity
- Conflicts of Interest
- Privacy and Confidentiality



# Professional Boundaries with Victims Cont'd

- Sexual Relationships
- Physical Contact
- Harassment
- Termination of Services
- Information about Services
- Continuity of Services
- Referral of Services



# Professional Boundaries with Colleagues and Agencies

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- Respect
- Confidentiality
- Disputes involving Colleagues
- Referral for Services
- Supervision and Education
- Ethical Responsibilities as Professionals
- Ethical Responsibilities to Colleagues



# Maintaining Boundaries

- Consider how the following will impact victim-advocate relationship:
  - Answering “innocent” questions
    - “Do you have kids?”
    - “Do you drink?”
  - Displaying photos/personal information
  - Providing assistance outside scope of work
  - Over-advocating for client
  - Maintaining long-term relationships



# **HYPOTHETICAL CASES**

## **Exploring Boundaries**



# Hypothetical Case #1

You are a new SAPR VA. A male service member victim comes to see you stating that he was “gang raped” over a year ago while deployed. He wants to press charges and file an unrestricted report. He believes two of the alleged offenders are now civilians and wants your help tracking them down.



# Poll #1

- Will you be crossing any boundaries if you help the victim with his request?  
  
A. YES  
B. NO  
C. UNCLEAR





# DISCUSSION



## Hypothetical Case #2

You are an installation SARC at a small OCONUS installation. While bowling with your children, you notice one of your victim advocates, Jenny Smith, several lanes away. With her is a man that you initially assume is her husband, but upon closer look you see the man is one of Ms. Smith's former clients. You recall that Ms. Smith assisted the victim two years ago in a restricted report.



## Poll #2

- Is Ms. Smith crossing boundaries by bowling with a former client?  
  
A. YES  
B. NO  
C. UNCLEAR



# DISCUSSION



## Hypothetical Case #3

You are a SAPR VA and have been providing advocacy services to a young female service member for over six months. The service member was sexually assaulted by a male member of her unit. After choosing to make an unrestricted report, you supported the service member through the medical, investigative and legal processes.

The service member has a promotion ceremony coming up and has asked you to attend. She shares with you that you are the only person “who truly understands” what she has gone through to reach this promotion.



## Poll #3

- Will any boundaries be crossed if you attend the promotion ceremony?
  - A. YES
  - B. NO
  - C. UNCLEAR



# DISCUSSION



# What are the Potential Consequences of Crossing Boundaries?

- Reinforce unhealthy relationships learned as a result of the victimization
- Re-traumatize the victim
- Mislead the victim by allowing him or her to believe the relationship is personal rather than professional
- Discredit the advocate and the program
- Enable rather than empower the victim

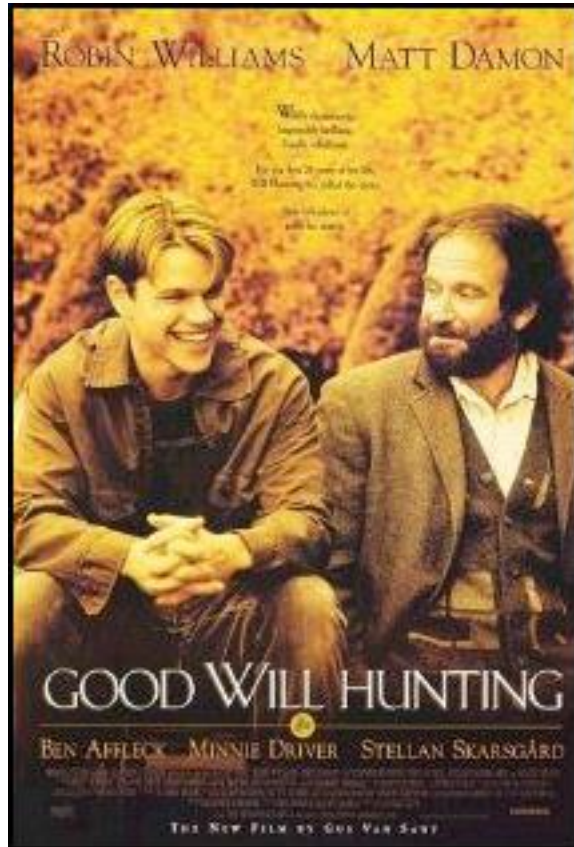




# SELF-DISCLOSURE



# Self Disclosure



Famous self-disclosure scene by therapist.

<https://www.youtube.com/watch?v=UYa6gbDcx18>

What is *your* view on self-disclosures? Pros and cons?

Think BEFORE you are in the situation.



# Self Reflection

- Think about a time you confided in a friend about a personal crisis or problem.
  - Did the friend disclose a similar crisis or problem?
  - How did the disclosure make you feel?
  - Was it helpful/non-helpful?



# Self Disclosure

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- Deliberate self-disclosure
- Unavoidable self-disclosure
- Accidental
- Client's deliberate actions

Zur, Ofer. (2011). *Self-Disclosure & Transparency in Psychotherapy and Counseling: To Disclose or Not to Disclose, This is the Question.*

Retrieved 11/15/14 from: <http://www.zurinstitute.com/selfdisclosure1.html>



# DUAL RELATIONSHIPS



# Question

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- *What do we mean by dual relationships?*



# Dual Relationships

- Friendships
- Sexual relationships
- Self-disclosure
- Rescuing/over-helping
- Challenges in deployed areas/small installations



# Red Flags

- Pay attention to your own defense mechanisms or gut feelings
- Are you keeping secrets? Is there any area of your relationship you are keeping hidden?
- Listen for the “yes, but...” phrase
  - Denial
  - Externalizing
  - Rationalizing





**CONFIDENTIALITY**



# Confidentiality

- Foundation of trust in advocate-victim relationship
- Confidentiality vs. Privilege
- DoD Restricted Reporting Policy
- Exceptions to Confidentiality
- Independent Investigations
- Informed Consent



# Protecting Confidentiality

- Consider potential challenges to confidentiality:
  - Working with Command and other first responders
  - Communicating with family members
  - Physical barriers to confidentiality (i.e., waiting rooms)
  - Advocacy in deployed areas/non-traditional settings
  - Role of Media/social media



# Ensuring Victims' Privacy

- For all types of reports, every effort should be made to ensure victim privacy
  - “Legitimate Need to know” policy
  - Always ask: Is it necessary and appropriate to share this information?
  - SAPR VA/SARC subject to punitive adverse or administrative action for failure to protect victim’s privacy
  - It is important to consider not only actual breaches of confidentiality, but also to be mindful of how to mitigate the perception of a breach of confidentiality



# Victim Records

- Know your Service policies related to sexual assault victim advocacy record keeping, subpoenas and Freedom of Information Act (FOIA) requests
- Ask yourself-
  - What information is recorded and why?
  - Who has access?
  - What is the victim's understanding of his/her file?
- Files should not include:
  - Victim's verbatim statements
  - Clinical diagnoses, speculations or medical information
  - Notes, memos or internal communications re: victim
  - Diaries or personal notes kept by victim



# **ETHICAL DECISION-MAKING**



# Ethical Decision-Making

- Ethical decision-making model:
  - Assess case details
  - Separate practical considerations from ethical considerations
  - What are the potential upsides of the following course of action? What are the potential downsides?

Hook, Melissa. (2005). *Ethics in Victim Services*.



# Case Scenario #1

You are a SARC at a large CONUS installation. A 19-year old enlisted female comes to see you to report a sexual assault. She shares that at an off-post social event she ran into her male platoon leader. After having several drinks with him, he offered her a ride back to post. During the ride, he pulled over and forced himself on her. She did not initially report the assault because he is married with children. She requests a restricted report as she is adamant that she does not want this incident to affect her career.

While the victim is telling her story, you recognize the name of the alleged perpetrator. Another service member victim recently made a similar, restricted report and named him as her perpetrator.





# Discussion

- Using the ethical decision-making model, answer the following questions:
  - What are the relevant case details?
  - What are the legal considerations? Is this a Safety Exception under the Restricted Reporting policy? Is this a Safety Exception under MRE 514?
  - What are the practical considerations? Ethical considerations? Any conflicts?
  - Which D-SAACP Code of Ethics standards apply?
  - What courses of action exist? What are the upsides and downsides of each course of actions?



# Discussion

- What are the relevant case details?
  - You now have 2 restricted reports alleging the same perpetrator
- What are the legal considerations? Is this a Safety Exception under the Restricted Reporting policy? Is this a Safety Exception under MRE 514?
  - Need to seek out the guidance of the SJA. Discuss without using victim names, to protect the Restricted Reports.
- What are the practical considerations?
  - Does the fact that you now have 2 reports with the same alleged perpetrator constitute an exception to policy?
- Ethical considerations?
  - What about the safety of others?
- Any conflicts?
  - Policies about restricted reports prohibit you from disclosing the perpetrator's name to anyone therefore if the report/reports remain restricted others may be at risk for sexual assault



# Discussion

- Which D-SAACP Code of Ethics standards apply?
  - #2, Respect the victim's civil and legal rights, subject only to laws requiring disclosure of information to appropriate other Sources;
    - Section #1, #3, Respect the victim's rights to privacy and confidentiality, subject only to laws requiring disclosure;
    - Section II, #6 Obey all applicable Federal, DoD, and Service laws and regulations.
    - Section III. #4. In accordance with restricted reporting, applicable privileged communications, and all applicable Federal, DoD, and Service privacy laws and regulations, respect the privacy of information provided by the victims served before, during, and after the course of the professional relationship.



# Discussion

- What courses of action exist?
  1. Seek legal counsel before discussing the situation with anyone, **discuss the cases with the SJA without using victim names to protect the Restricted Reports**
  2. Clearly explain to the victim the exceptions to restricted reporting on DD Form 2950
  3. Do nothing and allow the victims to keep their restricted reporting



# Discussion

- What are the upsides and downsides of each course of actions?
  1. Upside – getting legal advise is required by DoD policy before you can share any restricted reporting information; Legal advisor will provide you with a legal opinion one way or another
    - Downside – Legal advise may be that it does constitute an exception to policy
  2. Upside – you are managing victim’s expectations in regards to restricted reporting; victim may choose to switch to unrestricted
    - Downside – victim may choose not to sign DD Form 2910, thereby creating NO report.
  3. Upside – victim gets the care they need due to filing a restricted report
    - Downside – the potential for others to be sexually assaulted is great due to the a serial predator on base



## Case Scenario #2

You are a SAPR VA and have been working with a sexual assault victim, Shabnam, for four months. One week she notices that you are wearing an engagement ring and inquires about the ring. You quickly tell her you recently got engaged and then re-direct the conversation to discussing her situation.

A week later, Shabnam comes to your office with a necklace. When you tell her you can't accept it, she responds that she would be offended if you did not; giving jewelry is a customary tradition in Iranian culture for newly engaged women.



# Discussion

- Using the ethical decision-making model, answer the following questions:
  - What are the relevant case details?
  - What are the practical considerations? Ethical considerations? Any conflicts?
  - Which D-SAACP Code of Ethics standards apply?
  - What courses of action exist? What are the upsides and downsides of each course of actions?



# Discussion

- What are the relevant case details?
  - The victim is your current client; Client is from a different culture; Client wants to give you a gift
- What are the practical considerations? You are prohibited from accepting gifts; you do not want to blur professional boundaries; Client will be offended which may damage your relationship moving forward.
- Ethical considerations?
  - You do not want to blur ethical boundaries; Accepting gifts from a client is wrong because advocating on their behalf is your job;
- Any conflicts?
  - You do not want to offend the client, but you also do not want to accept the gift; You want to avoid the perception of exploiting the client for material goods.





# Discussion

- Which D-SAACP Code of Ethics standards apply?
  - Section I, #10 - Have no personal or sexual relations with victims currently supported by SARCs or SAPR VAs or with alleged offenders, in recognition that to do so risks exploitation of the knowledge and trust derived from the professional relationship.
  - Section I, #7, Foster maximum self-determination on the part of the victim.
  - #8 - Serve as a victim advocate when assigned, and in that capacity, act on behalf of the victim's stated needs and within policy guidelines set by DoD and the Services.
  - Section III, #6. Not use her or his official position to secure gifts, monetary rewards, or special privileges or advantages.
- What courses of action exist? What are the upsides and downsides of each course of actions?



# Discussion

- What courses of action exist? What are the upsides and downsides of each course of actions?
  - Kindly inform the client that you are prohibited from accepting gifts, and may get fired if you were to accept it.
  - Thank them for their thoughtfulness. This may negatively impact your professional relationship with your client moving forward.
  - OR, you can accept the gift in order to not offend the client and risk getting fired and blurring the professional boundaries.



# Summary



- Self-awareness is key to making ethical decisions
- D-SAACP Code of Ethics sets the standard for SARCs/SAPR VAs professional conduct
- Professional boundaries protect both the victim and the SARC/SAPR VA
- Dual relationships and confidentiality are two of the most complex ethical standards for victim advocates
- Ethical decision-making is a skill to be acquired and routinely practiced



# Contact Information

**Contact Bette Inch**  
**Senior Victim Assistance Advisor**  
**DoD Sexual Assault Prevention and Response Office:**  
**[bette.m.inch.civ@mail.mil](mailto:bette.m.inch.civ@mail.mil)**

**Learn More:**  
**[www.sapr.mil](http://www.sapr.mil)**



**Get Help:**  
**877-995-5247**  
**[www.safehelpline.org](http://www.safehelpline.org)**

