



## Ethics in Victim Services



Training Time: 90 Minutes

R: Good afternoon and welcome to Ethics in Victim Services. I'm Rachel Thanos.....  
Joining me today is COL Janice King, my fellow Victim Assistance Analyst at DoD SAPRO.

JK: Intro....

A few ground rules before we start: We're not going to tell you to put away your phones or shut them off. For today's training, we actually would like for you to keep them out!

Each of you bring experiences this training that are valuable. Please do feel comfortable to participate in our interactive question sessions as we hope to offer a supportive, respectful experience.

This is meant to be an interactive training; please do speak up if you have something valuable to add. We will bring the microphones to you so that you may be heard.



## Learning Objectives

- Define the role of ethics in the context of victim services
- Apply key provisions in the DoD Sexual Assault Advocate Certification Program (D-SAACP) Code of Ethics
- Describe the role of self-awareness in facilitating victim centered-advocacy
- Recognize need for boundaries and avoiding dual relationships
- Identify situations where ethical decision-making is needed

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Ethical decision-making is a skill to be acquired. This training will be a skill-building training that will help you think through common ethical dilemmas; we will provide a basic model based off of Melissa Hook “Ethics in Victim Services” that we will practice. We will be utilizing fairly simplistic models so that we have the time to walk through the methodologies. You will be encouraged to assess your personal values, moral orientation, and personal bias to consider how these elements influence your decision-making process.



## Defining the Role of Ethics in Victim Services

- Values
- Morals
- Ethics
- Professional Ethics

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Dexter:

Values are the ideas or beliefs that an individual or groups aspire to.

Ex: The belief that honesty is the best policy

Morals relate to making decisions between right and wrong.

Ex: Have integrity, Respect others, Be accountable and take responsibility

Ethics is the articulation of standards of behavior that reflect those values or morals.

Ex: Refraining from violence against another, Treating others with civility, Respect for another's property

Professional ethics are a set of standards, based on proven and sound principles of conduct and quality of service, created from within a profession as a means of articulating what constitutes excellence in the field.

Ex: Confidentiality of knowledge obtained through professional activities, Treat professional colleagues with respect, Be honest in our professional dealings

TRANSITION: Why do we need an ethics code?



## Why do we need an ethics code?

- Establishes foundation for practice of victim advocacy
- Helps guide decision making
- Promotes welfare and protection of victims
- Informs public about ethical behavior of advocates

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Every SARC/SAPR VA must act with integrity, treat all victims of sexual assault crimes with dignity and compassion, and uphold principles of Justice. DD Form 2950  
Key provisions: 1. Relationship Factors (victim, colleagues, other professionals, the public). 2. Professional conduct factors. (cultural context)  
Guiding Ethical Principle (Do No Harm)

Having a professional code of ethics serves the purpose of

- Safeguarding the reputation of the profession
- Protects the victim from exploitation
- Furthers the competent and responsible practice of the profession



## D-SAACP Code of Ethics

Three areas of focus:

- Relationships with clients
- Relationships with colleagues, other professionals, and the public
- Expectations for professional conduct

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\*Handout: Code of Ethics\*

### Background

The D-SAACP Code of Ethics was developed by DoD and civilian SMEs as part of D-SAACP Application (DD 2950) in October 2012. The D-SAACP Code is similar to the National Advocate Credentialing Program (NACP) Code of Ethics but tailored specially for DoD. Code created the first department-wide standard for all SARCs and SAPR VAs.

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

Key Requirements (noted in Code of Ethics handout)

- 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)



## **ETHICAL DECISION-MAKING**

As we mentioned in the beginning, now we're going to walk you through a simple model for Ethical Decision-making. IT's as simple as your ABCs...



# Ethical Decision-Making





## Ethical Decision-Making: ABCDE

Ethical decision-making model:

**A**ssess

**B**rainstorm

**C**onsult

**D**ecide

**E**valuate

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

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Follow the 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?



## Ethical Decision-Making: ABCDE

### **A**ssess

- Collect facts of the matter at hand
- Review relevant standards
  - Laws
  - Regulations
  - D-SAACP Code of Ethics
- Identify practical considerations
  - Safety
  - Wise/Unwise?

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- In the facts of the case, don't forget to consider all the parties involved. Identify who is owed consideration in this situation?
  - Victim
  - Command
  - Others (Law Enforcement, Medical, BH)
  - Yourself
- Relevant standards are important – and the list of standards are in order of precedence, as if you have a law or regulation, they may direct your behavior and come before our code of ethics. The code of ethics is what you use to guide your behavior in situations where there is no law or regulation requiring a certain action.
- Safety of all parties is always of great important; there should be NO decision ever made that fails to consider the safety of the parties involved.
  - Welfare is a bit different. We can do many things safely, but they don't always lead to helpful or beneficial outcomes. We should try to decide on the safest outcomes with the greatest welfare for the parties involved, according to laws and regulations.



## Ethical Decision-Making: ABCDE

### **B**rainstorm:

- Available Options
- Likely Consequences

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- Given the facts, standards and practical considerations you came up with in “Assess” – what can you do?
- Here you list the options available to you – and their likely outcomes. We don’t recommend coming up with all possible options – just the ones that fit the parameters of your assessment
- Remember you can’t tell the future – but you can probably figure out what is likely to happen an any given course of action
- This is where experience can really help you - which leads us to the next step: Consult



## Ethical Decision-Making: ABCDE

### Consult:

- Other advocates
- Other providers and professionals
- Supervisors

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Consultation is probably the single most overlooked step that could keep you from very serious consequences.

- Ask someone who's got experience doing this – or has had to solve complex ethical questions themselves.
- Psychologists happen to be really good people to consult on ethical questions, as a large portion of their training required them to practice independently and decide these tough issues. They're not the only ones – social workers, psychiatrists, attorneys – other people who have a code of professional ethics that requires them to assess situations
- Don't forget – sometimes your boss has great advice - but if they're not someone who practices in client services, then they might not have experience practicing with a code of ethics



## Ethical Decision-Making: ABCDE

### **D**ecide:

- Choose the best option
- Ensure personal clarity on steps taken to reach decision
- Act

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Once you assess, brainstorm, and consult – you need to decide on what to do.

However, we suggest that the D here also stands for DOCUMENT your decision. We recommend that you write a short memo for record documenting your decision, what you considered, what kind of consultation you got, and what you decided to do.

- Why? Because if you are named in a lawsuit or subject to disciplinary action because of an action you took this kind of documentation can really save your bacon.
- We recognize that documenting your decision won't sit well with everyone – but other professions do this. If you do this, then you need to keep your MFR locked up – as if it has PII in it, then you need to protect it like you would a DD Fm 2910 – or anything else with sensitive information in it.
- Keep in mind that these documents might reflect privileged information under MRE 514 – protect them accordingly



## Ethical Decision-Making: ABCDE

### Evaluate:

- How did the situation turn out?
- What did you learn or not consider as part of your decision making process?
- What would you do differently next time?

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Why would you want to evaluate?

- Clearly, if you've learned something – then you might want take stock of your lessons learned. Sometimes, things you've learned could turn into an operating instruction for your office – or a recommendation for policy change – or even an amendment to the code of ethics.
- There's no harm in learning from mistakes – and considering what you'd do differently next time is just a part of what can be a very challenging job!



## Ethical Decision-Making: Practice #1

The night before trial, the local defense attorney comes to your office and asks if you keep copies of DD Form 2910. You are required by instruction to do so.

The attorney then asks to see all the DD Form 2910s you have on hand, signed by the victim advocate who supported the victim in the case she is working.

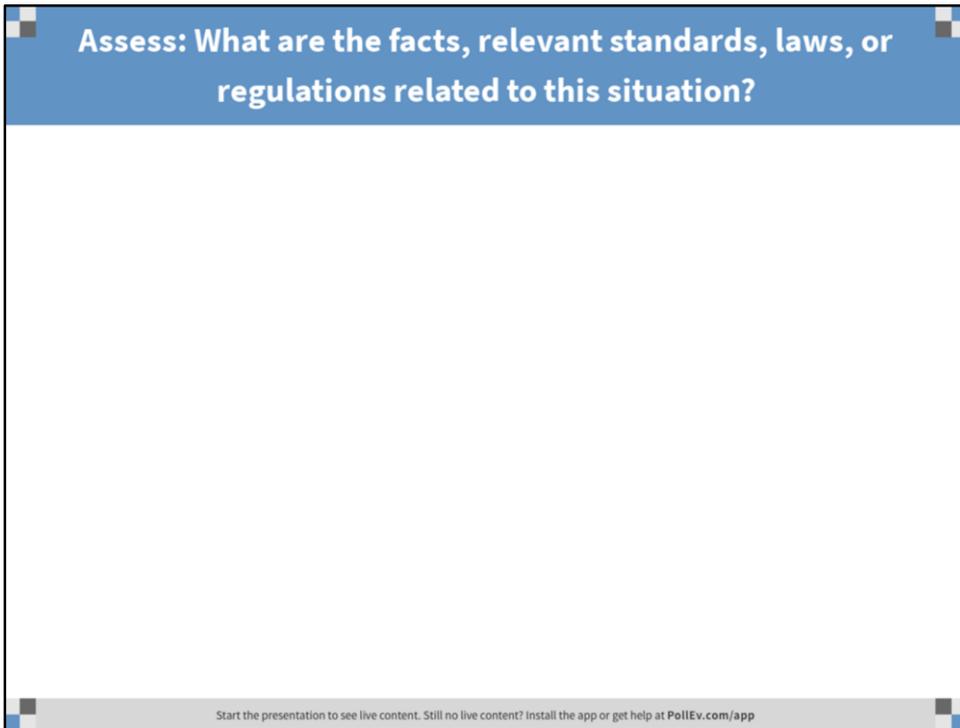
The defense attorney reminds you that her client has a right to a fair trial. She tells you that the forms contain exculpatory information and military law requires you to turn over the records to her.

**Do you comply with what the attorney is asking of you?**

**A**ssess  
**B**rainstorm  
**C**onsult  
**D**ecide  
**E**valuate

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Practice the decision making process



Poll Title: Assess: What are the facts, relevant standards, laws, or regulations related to this situation?

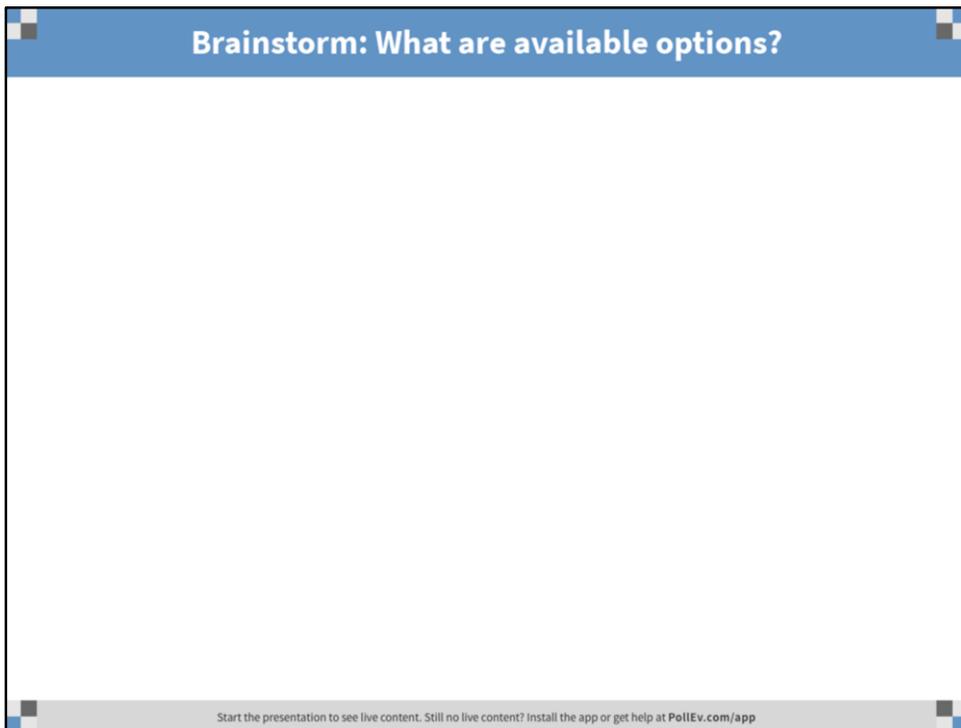
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MRE 514 – Victim Advocate - Victim Privilege; Privacy vs Privileged information  
UCMJ Article 120

DoDI 6495.02 – SAPR Program Procedures; How to maintain the forms

DoDI 6495.03 – D-SAACP ; Ethical standards

DoDI 6400.07 – Standards for Victim Assistance Services in the Military Community



Poll Title: Brainstorm: What are available options?

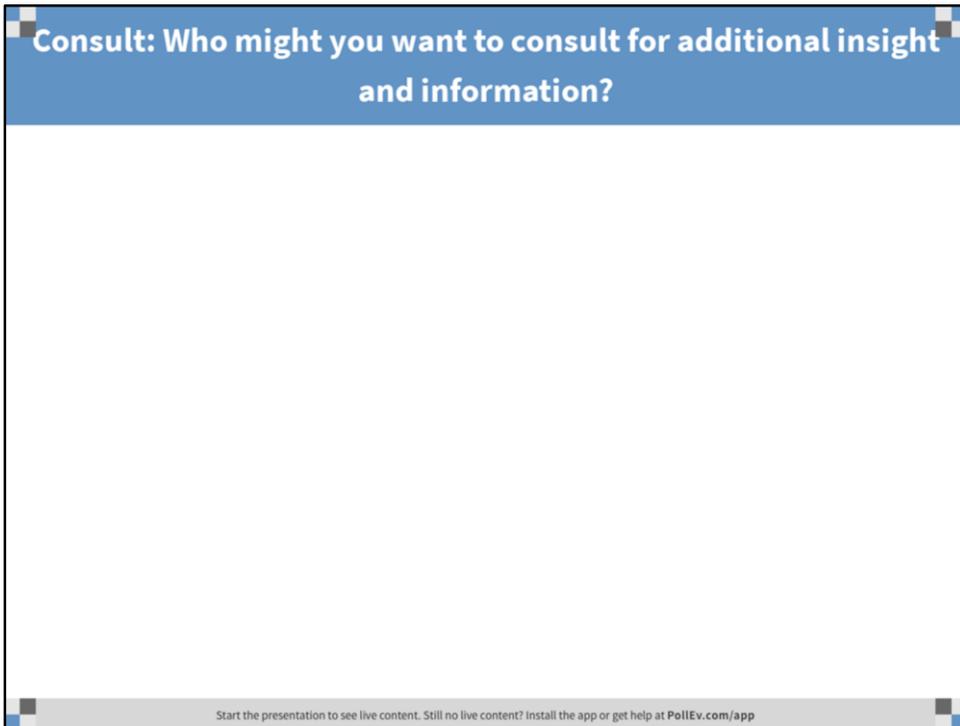
[https://www.polleverywhere.com/free\\_text\\_polls/9jmvpL5TXuehYd9](https://www.polleverywhere.com/free_text_polls/9jmvpL5TXuehYd9)

State that we cannot release without consulting for Legal Advice.

Most recommended: Consult SJA immediately.

Do not release any information without seeking legal advice.

Give them the forms...



Poll Title: Consult: Who might you want to consult for additional insight and information?

[https://www.polleverywhere.com/free\\_text\\_polls/rof2wNoF03hME2o](https://www.polleverywhere.com/free_text_polls/rof2wNoF03hME2o)

SJA, SARC or Services SAPR PM



Poll Title: Decide: What is your decision in this situation?

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Do not release the files as that violates client confidentiality. Consult SJA for advice.

Release the files

Evaluation: Reach out to Defense attorney to create more education about roles of SARC/VAs, confidentiality



## Ethical Decision-Making: Practice #2

Your commander – your boss - calls you to her office at the end of the year and informs you that she is concerned that the unit will not complete required training for the year.

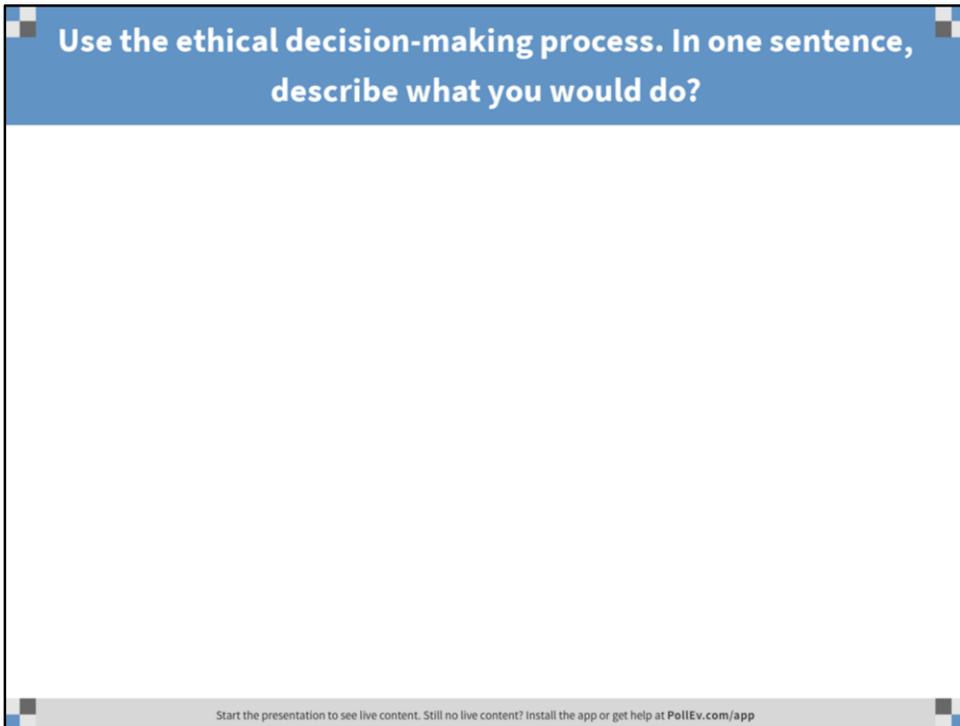
She shows you a long list of unmet requirements and asks for you to agree to give the unit a “pass” from your Service’s required training. She asks you to sign off on a memo saying that you provided the required training before the end of the year. She promises to “make it right” after the first of the year.

**If you were put in this situation, what would you do?**

**A**ssess  
**B**rainstorm  
**C**onsult  
**D**ecide  
**E**valuate

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Practice the decision making process



Poll Title: Use the ethical decision-making process. In one sentence, describe what you would do?

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Know your service specific requirements for deadlines, required length of training, etc.

Be prepared to discuss appropriateness of an abbreviated training; this may be the more common ask.

Offer solutions for training throughout the year.

Request extension for training for situations such as deployment; is there an appropriate (per service requirements) work-around such as a video conference if needed in person training?



## SELF AWARENESS

One aspect of ethical decision making that we've not discussed ARE THE DECISION MAKERS THEMSELVES

- We need to understand how our experience, morals, judgements, and biases influence our decision making and our behavior in general
- Our experience can serve to help our clients – but it can also blind us to certain situations, too.



## Self Awareness



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### Exercise: SELF AWARENESS

What do you see here?

Who can see an old woman? She's got a big nose and a kerchief over her head.

Who can see a younger woman? She's looking away from you.

Who can see both now...?

(Point out the features of both)

- Think about which one you saw first. That recognition process occurred largely without your conscious thought – and is based on how your cognitive processes have developed over time. These are automatic – and you do this without thinking about it. To see the other image, you had to try and re-focus on parts of the total image you hadn't seen before. It took some effort.
- These same processes apply to self-awareness. You have to recognize what your “default” behaviors, thoughts, and judgments might be – and then try to “stop” from going there to fully recognize the situation in front of you.
- The newest situations are often the most difficult – that's where we learn to rely on our brain's shortcuts to help us out with new situations from old situations. There is nothing wrong with that. But we're not perfect – and like this situation – you can sometimes not see the full picture without some effort. That's called bias – and bias isn't bad in and of itself – its part of who we are. However, bias

becomes a negative when it keeps us from considering all options



## Source of Your “Defaults” (Bias)

- Family experience and values
- Sex, race, ethnicity
- Socio-economic status
- Exposure to other cultures
- Education
- Religion

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Think about how others’ experience may have differed from yours in these categories. How might they turn out differently?

- Think about if you were a minority somehow – how would your experiences in life have turned out differently?
  - Racial – what if you were the race you are now in a country with a different race? How might you be treated?
  - Ethnic – what if your customs or cultural approach were substantively different from everyone around you?
  - Sexual – how might people’s experience differ if they discovered their sexual orientation or gender identity were different?
- This last category is sometimes the most difficult for people to consider – because they may believe that being gay or trans is a choice. We’re not here to convince you otherwise – but the way we support victims should be completely independent of personal beliefs. Our advocacy for the victim should be to treat sexual orientation and gender identity as we would a factor like race, sex or religion – our advocacy cannot “ask” you to change these very personal things about yourself. Our advocacy must consider these things as part of you, and then render the best help possible.



## Self Awareness

Be aware of your reactions to the victim



Avoidance



Anger



Rescue



Judgement



Blame

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We are human; you will have these and other reactions to victims. These reactions are key to be attuned to later when we talk about boundaries and acting in an ethical way to clients and we'll discuss some of these a little more in depth.

Important to be honest with yourself and your supervisor about your feelings/reactions to identify possible triggers/understand the issue BEFORE an ethical line is crossed.

Ensure these feelings don't translate to the victim in our interactions.

*An ethical line is crossed if your feelings and reactions are presented negatively to the victim, making them feel uncomfortable. Take the time to understand your reaction and discuss with your supervisor, avoiding disrespectful conduct.*



## Discussion: Self Awareness

- What are those reactions telling you?
- How may they impact your boundaries with the victim, family members and other professionals?

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Have any of you experienced the reactions discussed previously? If so, would anyone be willing to discuss?



## The Challenge for Advocates

### Be clear:

- About what you do
- Communicate limits/boundaries

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In addition to self-awareness, communication is key to maintaining professional boundaries with a victim. You must communicate in a way that demonstrates empathy, provides information in easy to understand terms.

Can you think of a time when you failed to clearly communicate limitations of your role? Think about what was going on at the time that prevented you from being clear. Once you have identified the issue, pre-determine how you will overcome the issue in the future to fully communicate clearly.

Discussion Question: Considering the frame of reference for a victim, 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

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The focus of our care is “Victim Empowerment”. An important type of advocacy is called “victim-centered” advocacy; providing non-judgmental assistance with an emphasis on client self-determination. Within this, we

- Recognize victim's interests are PRIMARY
- Protect and respect privacy and confidentiality – before, during and after your professional relationship
- Always believe, without reservation or judgement
- NEVER blame the victim

What does victim-centered look like in action? It begins with a victim's safety and security, without feeling safe and secure, you can't have a sense of well being and are unable to begin the healing and recovery process. Ensuring a person is safe is not just a concern initially, but it continues throughout your time with them.

It does not matter what the victim wore or if they had too much to drink. This is a good moment to practice your self-awareness, are judging the victim for what you perceive as their personal responsibility in the crime? WRONG! It is no one's place to judge them. The only person responsible for a sexual assault is the perpetrator. Of course we advocate for reducing the risk of being assaulted, but it is never appropriate to put blame on the victim.



## Victim-Centered Advocacy

- Trauma-focused treatment
- Allows victims to remain engaged in the judicial process at their comfort level (when possible)
- Encourages emotional recovery through reclaiming control
- Encourages victim service collaboration

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Focuses on providing the tools for a victim to begin the process of becoming a survivor

- Protect civil and legal rights of the victim
- Provide compassionate and personalized victim services

These are our shared values, and they form the backbone of our professional ethics

When an individual experiences a horrible event, like sexual assault, advocates must remain mindful of the impact that trauma has on that individual. Victim-centered advocacy ensures resources are available and information is provided that focuses on trauma-focused treatment. "Trauma-focused" means that the treatment focuses on the memory of the traumatic event or its meaning. These treatments use different techniques to help process the traumatic experience. Know your resources!

Victim-centered advocacy includes the advocate providing information about resources, active-listening, making resource recommendations based on an individual's needs, then clearly communicating the benefits of those resources and your role in helping the victim access the resources. Ensure the victim understands their role and yours throughout the justice process. Always allow the individual to decide which resource they want to receive, when and how they want to receive it, and the level of their participation within justice process. Even if you do not agree with their decision, it is their decision to make. You do not tell them what you would

do in their situation, even if they ask you. Simply highlight the pros and cons and support the victim in their choice.

Knowing the victim services on your base or installation is critical to supporting a sexual assault victim. Have you met? – Have you met the special victims counsel? This is a great resource for helping victims understand their legal rights, and help with enforcing their legal rights, if needed.. Have you met the sexual assault criminal investigators, special victim's counsel, trial counsel, mental health providers, medical care providers, chaplains? Understanding the benefits and limitations of other victim service providers is key to providing accurate information to victims.



## BOUNDARIES

Define: What is a boundary? Is it too abstract to define at all?

Boundaries represent an area of Ethics which can become very convoluted and confusing...in fact, this is the area in which I've struggled at times myself. We've come into this profession to help others and at times, it's difficult to separate our role limitations from the desire to "fix" everything for a victim who's come to us for assistance in a particularly vulnerable time.

Aspects of boundaries:

Role, Time, Place and space, Gifts, services, and related matters; Money; Self-disclosure and related matters; Physical contact



## Boundaries



Schulz, Charles. Downloaded from: <https://goo.gl/images/yPKLTo>

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Is Snoopy violating any boundaries here? Yes, he has violated Woodstock's personal space.

Professional boundaries helps us to define the functions of our work and the responsibilities we have to the people with whom we interact with in the workplace: our clients, colleagues and other agencies.

- The term “**boundaries**” is routinely used in victim advocate trainings.



## Why Are Boundaries Important?

- Professionalism
- Appropriate delivery of services
- Accountability

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Boundaries are important to ensure we remain in our professional capacity.

Boundaries ensure we deliver services appropriately, and boundaries hold us accountable to the standards of our profession..

Boundaries are meant to EMPOWER victims – Are there well-meaning actions that could inadvertently take away power from one of your clients?

Victims of sexual assault are a vulnerable population and boundaries help us in serving them.

- *When you think boundaries, what comes to mind and why is it important 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).

Can include boundaries with our colleagues as well and how we present to the public

–

Clearly separate personal views and organizational views

Do not use your role to secure gifts, money or special privileges

Identify, acknowledge and address any conflicts of interest



## Maintaining Boundaries

- 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

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Consider how the following will impact victim-advocate relationships:

As we build rapport with new people we meet, we tend to show our interest in them by asking personal questions and providing personal details about our lives. When working with victims of sexual assault, do these same rules apply?

Think about how answering “innocent” questions may impact your ability to maintain boundaries.

Detailed information about your ethical conduct is further explained in DD Form 2950, page 4, SARC/SAPR VA Code of Professional Ethics.



## 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

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Perhaps the best risk management involves careful consideration of any departures from one's usual practice accompanied by careful documentation of the reasons for the departure.

If you cross boundaries, you

- Reinforce unhealthy relationships
- Potentially traumatize the victim
- Mislead the victim

(To be continued on next slide)



## What are the Potential Consequences of Crossing Boundaries?

- Discredit the advocate and the program
- Enable rather than empower the victim

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Perhaps the best risk management involves careful consideration of any departures from one's usual practice accompanied by careful documentation of the reasons for the departure.

If you cross boundaries, you also:

- Bring discredit upon victim advocacy as a profession
- Enable rather than empower, fostering maximum self-determination of their part

Remember that you are a public servant and your actions should be above reproach.

(Come up with Model for risk management): Ask yourself...What is the standard? Is there a reason to deviate? Are you able to identify Ethical dilemmas and establish one as primary? Generate a list of possible actions. Is it Ethical and possible to implement?



## **HYPOTHETICAL CASES**

### **Exploring Boundaries**

Now consider the following hypothetical cases



## Ethical Decision-Making: Practice #3

Jeff has been your client for six months. As a 19-year-old gay man, he is alienated from his family. His sexual assault allegation against his very popular first sergeant has resulted in his being ostracized from his unit. He has no friends locally. It's the day before Thanksgiving and you discover he is alone for the holiday. He tells you that he will be by himself in his barracks room. You've told him in the past that you will be having many friends and family over for dinner. He asks to come to your house for the holiday and even offers to bring food.

Assess  
Brainstorm  
Consult  
Decide  
Evaluate

**How do you handle this situation?**

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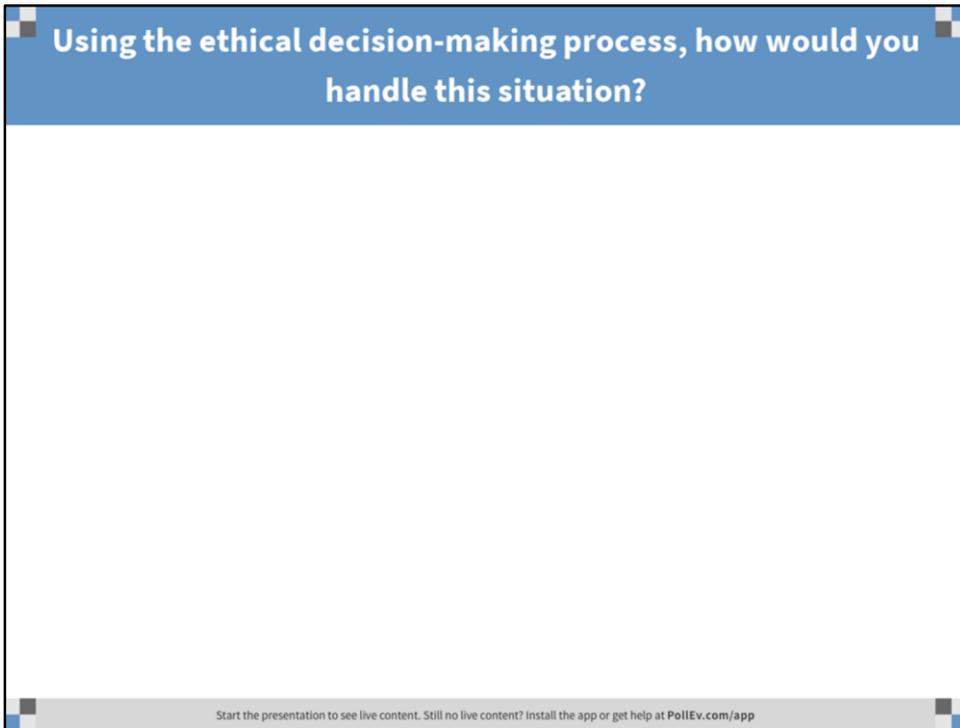
Practice the decision making process

Work in groups of 3 or 4 with the people around you to decide the best course of action (give 5-7 minutes)

Bringing a client into your home really blurs the lines between professional and friendship; this also could easily lead to rescuing or over-helping. It would be beneficial to discover other, more appropriate options. For instance, there are typically base events being held for young, single service members to include a Thanksgiving meal. There are base families that reach out with open invitations to young, single service members on major holidays. You could research if there is a LGBT organization locally that would have an outreach program. Finally, depending on Jeff's religious beliefs, the chaplains could also recommend events. You could help Jeff to explore and set up any of these options as a more appropriate means of ensuring he is not alone for the holiday.

**CAVEAT:** Only bring this up if someone states they believe it is appropriate to have a victim in their home. If you DO decide to invite Jeff into your home, you must make sure that you protect the professional relationship and the victim's confidentiality. Do not reveal that you are the victim's advocate to others. It is beneficial to discuss with the him prior to coming to your home how he would like you to respond if someone asks how you know each other in order to give the victim control. Consider there are also potential safety issues now to yourself and your family;

someone who has access to your personal space and can now show up unannounced particularly if experiencing emotional distress. How does this also impact your family (children, spouse)? Be concerned about the perception this could create with your client as well. Even if YOU maintain professional boundaries, have you created a situation in which your client can now misinterpret your relationship.



Poll Title: Using the ethical decision-making process, how would you handle this situation?

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## Hypothetical Case #1

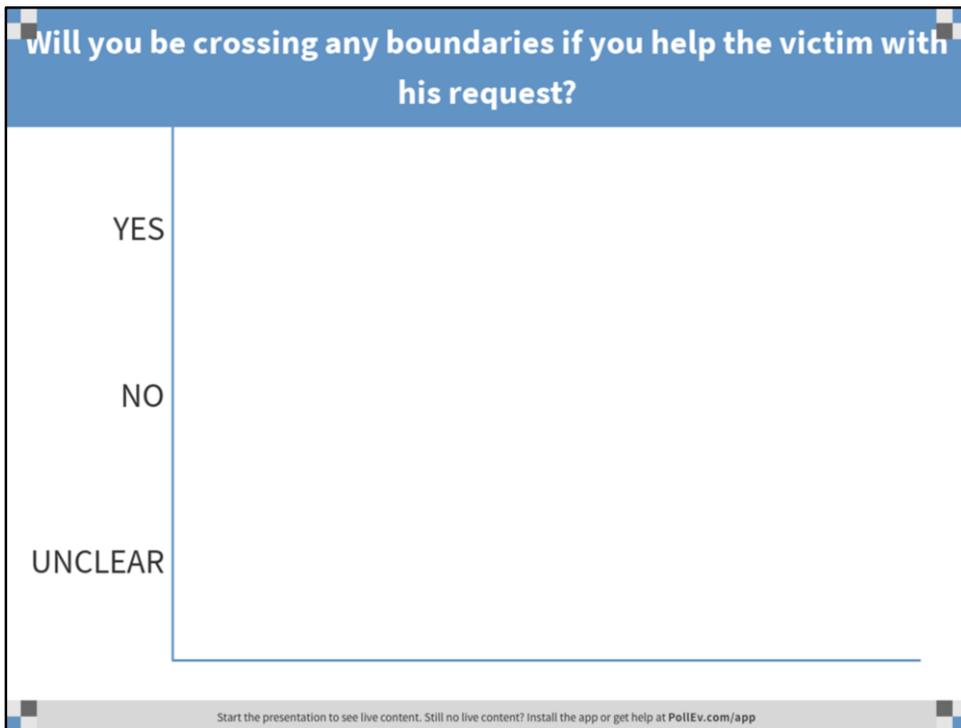
You are a new SAPR VA. A male service member victim comes to see you, stating that he was “gang raped” over a year ago while deployed.

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.

**Will you be crossing any boundaries if you help the victim with his request?**

A  
B  
C  
D  
E

Read Case #1



Poll Title: Will you be crossing any boundaries if you help the victim with his request?  
[https://www.polleverywhere.com/multiple\\_choice\\_polls/1hJUMIQp1cVt2NY](https://www.polleverywhere.com/multiple_choice_polls/1hJUMIQp1cVt2NY)

Answer Poll #1 and think through your conclusions before moving to the next slide.

The answer is A. Yes – explain that your role is to support them but you are not a criminal investigator and it is not your role to investigate.

Suggest they speak with a special victims counsel or victims legal counsel who can explain the investigative and military justice process to them. They may also accompany the victim to meetings with the investigator and attorneys.

Also suggest that they should not be involved in tracking down the perpetrators, because their safety could be in jeopardy —If they have additional information about the perpetrator they should share that information with the military criminal investigator and/or the trial counsel, and remind them they can consult with the special victims counsel or victims legal counsel. Who can also accompany them. If they tried this and are unsatisfied with current efforts, they could approach the local civilian police for assistance. However, depending on the jurisdiction of the crime, civilian police may or may not be able to assist.

Further describe that tracking down his perpetrator could also serve to jeopardize any outcomes of his case and the integrity of the investigation (possibly even element

of surprise).



## 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 with a restricted report.

**Is Ms. Smith crossing boundaries by bowling with a former client?**

A  
B  
C  
D  
E

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### Read Case #2

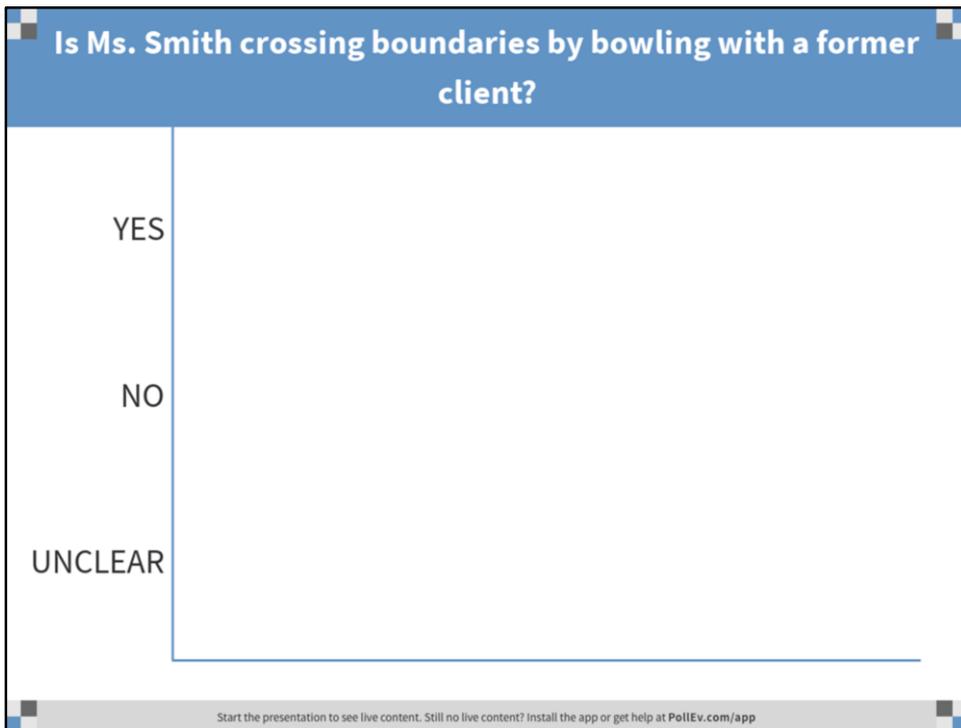
This is a tricky one – since it is a former client, there is not necessarily an ethical conflict currently. However, the advocate should be aware of potential future conflicts of interest. And there is always the appearance of impropriety which may raise ethical concerns – as it did with the supervisor.

If she now has a personal relationship with the victim, she should not serve as his advocate in the future.

You may want to meet with your VA and check in to make sure she understands that she should not serve as his VA again in the future, if he ever needs assistance she will need to refer him to another VA.

Also make sure she understands that this relationship would have been inappropriate while she was serving as his advocate.

**FOOTSTOMP:** The relationship between a VA and a victim never starts on equal footing-there is always a power differential that exists, and even months/years after the case is over that dynamic will still be there so some would argue you can never truly be 'friends' after. Could easily lead to an abuse of power.



Poll Title: Is Ms. Smith crossing boundaries by bowling with a former client?  
[https://www.polleverywhere.com/multiple\\_choice\\_polls/vfBa3sgVOD3YACU](https://www.polleverywhere.com/multiple_choice_polls/vfBa3sgVOD3YACU)

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## 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 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.

A  
B  
C  
D  
E

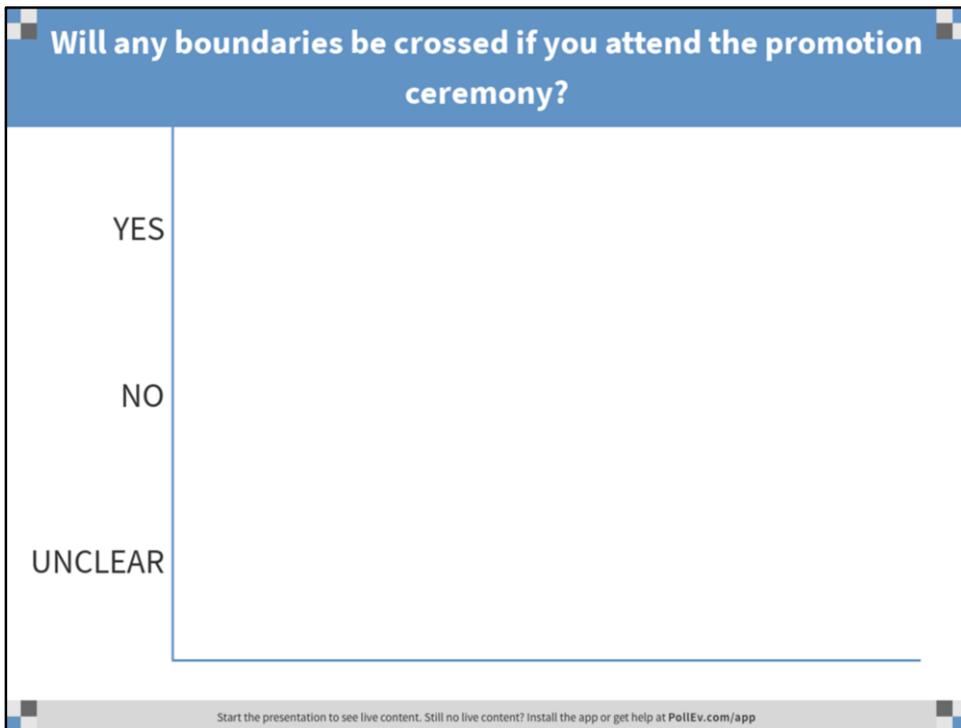
**Will any boundaries be crossed if you attend the promotion ceremony?**

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### Read Case #3

The answer is B. No – it is fine to attend a professional ceremony in a professional capacity. The catch here is to make sure that you protect the professional relationship and the victim's confidentiality. Do not reveal that you are the victim's advocate to others at the ceremony.

It is beneficial to discuss with the victim prior to attending the ceremony how they would like you to respond if someone asks how you know each other in order to give the victim control.



Poll Title: Will any boundaries be crossed if you attend the promotion ceremony?  
[https://www.polleverywhere.com/multiple\\_choice\\_polls/peLCC9Vs7toPskt](https://www.polleverywhere.com/multiple_choice_polls/peLCC9Vs7toPskt)

Answer Poll #3 and think through your conclusions before moving to the next slide.

The answer is B. No – it is fine to attend a professional ceremony in a professional capacity. The catch here is to make sure that you protect the professional relationship and the victim's confidentiality. Do not reveal that you are the victim's advocate to others at the ceremony.

It is beneficial to discuss with the victim prior to attending the ceremony how they would like you to respond if someone asks how you know each other in order to give the victim control.



## **SELF-DISCLOSURE**

Is it ever appropriate to share yours or another's sexual assault experience with a victim you are serving? Is it ever appropriate to share personal information?



## Self Disclosure

- 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>

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Always ask-what is the purpose and impact of self-disclosure? Will it benefit my client? Focus always has to be on the victim.

Four types of disclosure:

1. Deliberate- advocate's intentional verbal or non-verbal disclosure of personal information. Could be photos in office/office décor or self-revealing comments
2. Unavoidable—characteristics of the advocate (age, gender, ethnicity, disability, marital status, pregnancy, etc.), and could be unavoidable verbal non-disclosure (announcement about being out of office for vacation).
3. Accidental-unplanned encounters outside office or when someone (fellow staff member) inadvertently discloses something about you. Example of running marathon seeing my client. Happy birthday announcements, etc.
4. Advocate's deliberate actions-internet search, social media, etc. to find out more about you.

Self-disclosure is not, in and of itself, "wrong". It's a slippery slope with maintaining proper, professional boundaries.

- If it becomes the norm with clients
- If things are not connected to the direct experiences of the victim
- If it makes the victim feel uncomfortable or as if they should assist you



## 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?

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Do a little self-reflection now by thinking about a time you confided in a friend about a personal crisis or problem.

Can someone shared a scenario in which a friend disclosed a similar crisis or problem?

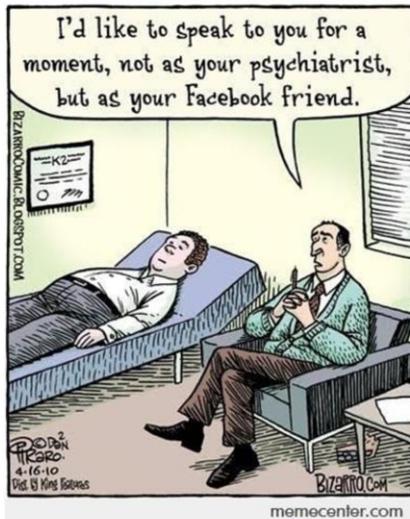


## DUAL RELATIONSHIPS

Let's discuss dual relationships



## Dual Relationships



Piraro, Dan. <https://goo.gl/images/q1Qb6Z>

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Dual relationships occur when advocates offer friendship outside of their normal job responsibilities, or if they exchange goods and services with victims, then professional boundaries have been violated and a dual relationship has been created. The blurring of boundaries between the primary and secondary relationship permits the abuse of power.

A dual role relationship exists when an individual simultaneously or sequentially participates in two role categories (Kitchener, 1986). Carroll, Schneider & Wesley (1985) concluded that a dual relationship exists when, in addition to the professional relationship, there is some other relationship with the individual: friend, family member, student or business partner.



## Dual Relationships

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

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Of all of the ethical standards in the field of victim assistance, dual relationships and confidentiality are the most complex and multifaceted.



## Red Flags

- Disregarding feelings of doing the “wrong thing”
- Keeping aspects of your relationship with a victim secret
- Listen for the “yes, but...” phrase
  - Denial – *It’s not what you think...*
  - Externalizing – *It’s their fault...*
  - Rationalizing – *It’s a special situation...*

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Be mindful and watch for red flags.

If you are intentionally keeping secrets from everyone about the full context of your relationship with a victim?

If you hear yourself rationalizing, denying, externalizing the reasons why it is o.k. to keep that secret...that’s a huge RED FLAG.

Talk to your SARC or supervisor immediately. Make a course correction and stay accountable to keep on track.

Once you identify a 'red flag' in your behavior and make a course correction, it is important to have a conversation with the victim about WHY you are changing your behavior so they understand, and don't think they did something wrong/etc., and you can clearly lay out what your interactions will look like in the future.



## CONFIDENTIALITY

Looking at confidentiality now and why it is critical in the field of victim advocacy.



## Confidentiality



“Somehow your medical records got faxed to a complete stranger. He has no idea what’s wrong with you either.”



## Confidentiality

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

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Confidentiality plays a vital role in the the recovery process because it helps establish an environment in which victims feel comfortable seeking assistance, making connections, and exercising their power within their right to choose what information to share, with whom, when and how.



## Challenges in Protecting 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

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What are the challenges to protecting confidentiality with these stakeholders?



## Ensuring Victims' Privacy

Always ask:

- Is it necessary and appropriate to share this information?
  - “Legitimate Need to Know” policy

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Respect the victim's rights to privacy and confidentiality, subject only to laws requiring disclosure. **Always** consult with your judge advocate for advise about releasing information. For all types of reports, every effort should be made to ensure victim privacy.

*(Notional- Needs to be verified)*

*The “Legitimate Need to Know” policy indicates the restriction of sensitive data and access to the information must be necessary for one to conduct their official duties.*



## Ensuring Victims' 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
- SAPR VA/SARC are subject to punitive adverse or administrative action for failure to protect victim's privacy

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Imagine a case where a victim made a Restricted report to you and then happened to see you meeting with her CO later in the day. Your meeting with the CO was unrelated to her case, but she/he felt very betrayed because she/he thought you had broken confidentiality.

Take the time necessary to explain things to her/him and be mindful of how things looked.



## Victim Records

- Know your Service policies related to sexual assault victim advocacy record keeping, subpoenas and Freedom of Information Act (FOIA) requests

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Consider your record keeping very carefully.



## Victim Records

### Ask yourself:

- What information is recorded and why?
- Who has access?
- What is the victim's understanding of his/her file?

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Contact your judge advocate whenever you receive a subpoena or FOIA request.



## Victim Records

Limit documentation; should never 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



## Summary

- Ethical decision-making is a skill to be acquired and routinely practiced
- 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 the most complex of ethical standards for victim advocates

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In summary...

Ethical decision-making can be acquired and routinely practiced by being knowledgeable about what is ethical and un-ethical within the specific standards of professional conduct in the Code of Ethics, and being consistent in your awareness of shared values and respect for others



**Questions?**



## Contact Information

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### **Get Help:**

877-995-5247

[www.safehelpline.org](http://www.safehelpline.org)

