



Ethics in Victim Services



Training Time: 120 Minutes



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

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. You will be encouraged to assess your personal values, moral orientation, and personal bias to consider how these elements influence your decision-making process.



The beginning...



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

This cartoon captures the fear many advocates feel...what do I really say to the client? Am I prepared?

One thing many are not worried about-but should be-is ethical decision making. We often falsely assume this will not be an issue for us because we got into the field for the right reasons....helping people. Every advocate faces ethical dilemmas and it's critical to consider these issues BEFORE you are in the situation.



Defining Ethics

- Values
- Morals
- Ethics
- Professional Ethics

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

Morals relate to making decisions between right and wrong.

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

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.



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)

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.

A code of ethics for a profession serves the following purposes:

1. Safeguards the reputation of the profession.
2. Protects the public from exploitation.
3. Furthers the competent and responsible practice of the profession.



D-SAACP Code of Ethics

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

Every SARC and SAPR VA must act with integrity, treat all victims of sexual assault crimes with dignity and compassion, and uphold the principles of justice.

The D-SAACP Code of Ethics focuses on the advocate's relationship with three categories of people:

- clients
- colleagues and others within and outside of the profession, and
- how the advocate conducts themselves

Reference DD 2950 page 4



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

The foundation of our profession rests on our integrity and how we live out this code.



Self Awareness

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

Everyone, take a minute to think about these questions



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

Can you think of a time when you were aware of a bias you had? Did it impact the way you treated someone? Be aware of your personal biases and do not let them get in the way of truly helping someone to the best of your ability.

Think through how you manage competing priorities – if someone asks for assistance but you have a report due – which action will you perform and why?

Always be mindful of your command-given role as SARC or SAPR VA and know what your responsibilities are and how you can positively – or negatively – impact your command and others.



Self Awareness

- Prejudgments
- Character 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.

Marcia Abramson, a prominent writer on ethics in the social work profession, wrote an article called “Reflections on Knowing Oneself Ethically”. In this article, she creates questions that fall into seven categories to assist victim assistance providers with analyzing their personal values and their level of ethical self-awareness:

1. Prejudgments—How do I see myself in terms of race, ethnicity, class, gender, age, religion, sexual orientation and power? How do my personal attitudes and experiences create stereotypes and foster reactions?
2. Character and Virtue—What do I believe it means to be a good member of society? What actions or behaviors make me feel like I’ve done right by the victim I am serving?
3. Moral Orientations—moral orientations affect the ethical decision-making process. What should I try to understand which of a number of moral orientations might influence the way they arrive at decisions when they are presented with dilemmas. For ex, religion—do I follow the guidance of a higher spiritual power? Or, conscience, do I refer to my own internal sounding board?
4. Truth or Consequences—Do I adhere to a principal because it is the right thing to do even though doing so may result in negative consequences? For example, is it better to lie (or omit the truth) if doing so avoids potentially harmful consequences?
5. Spirituality—do I understand how my spiritual beliefs affect the advocate-client relationship, particularly if the victim’s beliefs are different than my own? What are some occasions when spiritual sensitivity might be critical to serving crime victims effectively?
6. Individual rights versus the Good of the Community—Do I believe in projecting the victim’s right to privacy and autonomy even when those rights conflict with the well-

being of society at large? Under what conditions might I not believe in protecting the victim's right to privacy?

7. The Voice of Justice versus the Voice of Caring—Do I perceive dilemmas as conflicts between the rights of individuals involved and strive to resolve them according to the principles of justice?



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?*

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.

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.



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?

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 in order to fully communicate clearly.

Discussion Question: consider the frame of reference for a victim.



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

We often hear the term “victim-centered” advocacy. 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.

Remember to always, always, start by believing. 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 ever appropriate to put blame on the victim.

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.

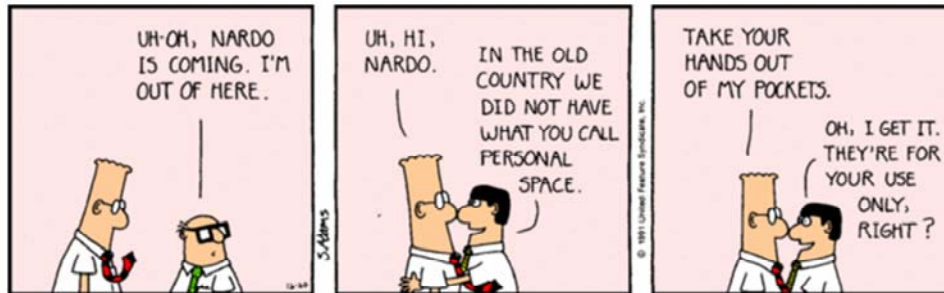
Knowing the victim services on your base or installation is critical to supporting a sexual assault victim. Have you met? – Have you met the special victims counsel? This is a great resource for helping victims understand their legal rights, and help with enforcing their legal rights, if needed.. Have 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



Boundaries



Adams, Scott. Dilbert. Downloaded from: <http://search.dilbert.com/comic/Nardo>.

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



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).

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.



Why are boundaries important?

- Professionalism
- Appropriate delivery of services
- Accountability

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

Boundaries ensure we deliver services appropriately, and boundaries hold us accountable.

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



Professional Boundaries with Victims

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

Let's look at the key areas where we need to maintain our professional boundaries with victims.

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



Professional Boundaries with Victims Cont'd

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

More key areas where we need to maintain our professional boundaries with victims.

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



Professional Boundaries with Colleagues and Agencies

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

Here are the key areas for maintaining professional boundaries with colleagues and agencies.

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



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

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.



HYPOTHETICAL CASES

Exploring Boundaries

Now consider the following hypothetical cases



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.

Read Case #1



Poll #1

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

- A. YES
- B. NO
- C. UNCLEAR

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.



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.

Read Case #2



Poll #2

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

- A. YES
- B. NO
- C. UNCLEAR

Answer Poll #2 and think through your conclusions before moving to the next slide.



DISCUSSION

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.

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.



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.

Read Case #3



Poll #3

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

- A. YES
- B. NO
- C. UNCLEAR

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



DISCUSSION

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.



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

If you cross boundaries, you

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



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



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.

Take time and watch this scene. Think about your views on self-disclosures.



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?

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



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>

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.



DUAL RELATIONSHIPS

Let's discuss dual relationships



Question

- *What do we mean by dual relationships?*

Go to next slide.



Dual Relationships

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

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

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.



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

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

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

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.



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

What are the challenges to protecting confidentiality with these stakeholders?



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

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.

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
- 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

Consider your record keeping very carefully.

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



ETHICAL DECISION-MAKING

Now let's explore the power of 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*.

Follow the ethical decision-making model:



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.

Read Case #1



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?

Consider these questions using the ethical decision-making model before going on to the next slide.



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

Answer:

- What are the relevant case details? You now have 2 restricted reports alleging the same perpetrator
- CRITICAL: 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?
- 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
- 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.

- What courses of action exist?
 1. Seek legal counsel before discussing the situation with anyone.
 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

- 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 2950, 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



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.

Answer:

- What are the relevant case details? You now have 2 restricted reports alleging the same perpetrator
- 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?
- 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
- 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.
- What courses of action exist?
 1. Seek legal counsel before discussing the situation with anyone.

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
- 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
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 2. Upside – you are managing victim’s expectations in regards to restricted reporting; victim may choose to switch to unrestricted
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 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



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

Answer:

- What are the relevant case details? You now have 2 restricted reports alleging the same perpetrator
- 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?
- 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
- 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.
- What courses of action exist?
 1. Seek legal counsel before discussing the situation with anyone.

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
- 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 2950, 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



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

Answer:

- What are the relevant case details? You now have 2 restricted reports alleging the same perpetrator
- 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?
- 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
- 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.
- What courses of action exist?
 1. Seek legal counsel before discussing the situation with anyone.

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
- 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.

Read case #2



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?

Consider these questions using the ethical decision-making model before going on to the next slide.



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.

Answers:

1. What are the relevant case details?
2. What are the practical considerations? 2.a. 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
2.b. Any conflicts? . You want to avoid the perception of exploiting the client for material goods.
3. 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.
4. What courses of action exist? 4.a. 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.



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?

Answers:

1. What are the relevant case details?
2. What are the practical considerations? 2.a. 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
- 2.b. Any conflicts? . You want to avoid the perception of exploiting the client for material goods.

3. 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.

4. What courses of action exist? 4.a. 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.



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.

Answers:

1. What are the relevant case details?
2. What are the practical considerations? 2.a. 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
2.b. Any conflicts? . You want to avoid the perception of exploiting the client for material goods.
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4. What courses of action exist? 4.a. 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

In summary...



Contact Information

Contact Bette Inch
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DoD Sexual Assault Prevention and Response Office:
bette.m.inch.civ@mail.mil

Learn More:
www.sapr.mil



Get Help:
877-995-5247
www.safehelpline.org

