Chapter 6 Victim Advocates And Standards

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Victim Advocates

Victim Advocate Certification and Training Requirements

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Victim Counselor Definition in Iowa Code

Victim Counselor is defined in Iowa Code 915.20A . A "Victim counselor means a person who is engaged in a crime victim center, is certified as a counselor by the crime victim center, and is under the control of a direct services supervisor of a crime victim center, whose primary purpose is the rendering of advice, counseling, and assistance to victims of crime.

Certification and Training Requirements

Twenty hours of training per Iowa Criminal Code 915.20A, is required as a minimum for any staff or volunteer who provides advice, counseling, and assistance to victims of crime. This training can be provided by the crime victim center with which the employee or volunteer is engaged or from one of the following entities:

Iowa Coalition Against Domestic Violence – for domestic abuse and sexual assault advocates.

Central Iowa Trauma Recovery Center - for survivors of homicide and other violent crimes advocates and general crimes advocates.

Crisis Intervention Service of Mason City - for survivors of homicide and other violent crimes advocates and general crimes advocates.

Confidentiality, Informed Consent and Safety

Grantees must protect the confidentiality and privacy of persons receiving services and ensure the safety and anonymity of victims and their families.

Confidentiality Policy - Grantees must have a confidentiality policy (see Chapter 5 for the requirements). This policy is to be shared with employees and people seeking services.

Informed Consent - Under no circumstances should any victim of crime be required to provide consent to release personally identifying information as a condition of eligibility for the services provided by the grantee or grantee.

Informed consent means giving a survivor information about who will be receiving the information, the expected purpose of the release and any potential dangers or negative outcomes of releasing information, if known.

Personally identifying information - The term personally identifying information or personal information means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- First and last name
- Home or other physical address
- Contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number)
- Social security number
- Driver's license number

- Passport number
- Student identification number; and
- Any other information including date of birth, racial or ethnic background, or religious affiliation that would serve to identify an individual.

Nondisclosure of Private or Confidential Information

These federal statues prohibit disclosure of personally identifying information:

VAWA 34 U.S.C. §12291(b)(2)), FVPSA 42 U.S.C. 10402(a)(2)(e), VOCA 28 CFR 94.1115

Grantees must keep all client information containing personally identifying information out of view from other clients, visitors, volunteers and others who are not authorized to view the information. Furthermore, client records not in use should be stored in a locked cabinet, drawer or similar storage item. If client files are stored electronically, agencies must ensure appropriate security measures are taken to protect client data such as firewalls, authorized user accounts, password protection, etc.

To ensure the safety of adult, youth, and child victims of family violence, domestic violence, or dating violence, and their families, grantees shall protect the confidentiality and privacy of such victims and their families. Grantees and subgrantees shall not (i) disclose any personally identifying information collected in connection with services requested, used or denied; or (ii) reveal personally identifying information without informed, written, reasonably time-limited consent by the person about whom information is sought, whether for this program or any other federal or state grant program. Consent shall be given by the victim, the minor and the minor's parent or guardian, or the individual's guardian. Consent **may not** be given by the abuser or suspected abuser of the minor or individual with a guardian, or the abuser or suspected abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

You can learn more about confidentiality from the National Network to End Domestic Violence's Safety Net Project.

A victim counselor as defined in 915.20A is **not** a mandatory reporter under Iowa Code Section 232.69. A victim counselor, however, may be a permissive reporter. A permissive reporter is defined in Iowa law (232.69(2)) as, "any other person who believes that a child has been abused." A permissive reporter may make a report of child abuse to the Department of Human Services, County Attorney, or law enforcement agency. Decisions to report should be made in accordance with agency policy, with adherence to the "Release" provisions noted below.

Breach of Confidentiality

Grantees must notify their assigned grant coordinator or the grant administrator of any breaches of confidentiality. Grantees must have policies and procedures stating within 24 hours of a breach, they will email either the victim services section grant coordinator or the grant administrator of the breach and provide details of the breach, including what is being done to protect the victim.

Information Sharing

Grantees may share non-personally identifying data in the aggregate, regarding services to their clients, and non-personally identifying demographic information for reporting, evaluation, or data collection requirements. Grantees must ensure shared documents do not include personally identifying information.

Service Standards

Service Standards

All grantees must meet the service standards established by the Section, Iowa Coalition Against Domestic Abuse and Sexual Assault and the organizations providing survivor of homicide and other violent crime advocate certification and general crimes advocate certification.

Crime victims have a multitude of needs that cannot be met by just one agency or provider. The standards that follow identify the rights and services crime victims deserve and as legislatively afforded to them according to Iowa Code 915. All crime victims, agency staff, management and volunteers have an obligation to know about these rights and services and to work collaboratively with other agencies in their communities to provide the best coordinated and collaborative continuum of care available. In general grantees are to adopt standards of practice which:

- Respects people's rights and dignity, especially and specifically during challenging and life altering situations when service providers engage with them in the aftermath of criminal activity and victimization.
- Sets the level of competence expected to assure that all crime victims in Iowa will receive the same or similar level of care for the time they are engaged with any and all service agencies.
- Creates a level of integrity all victim service professionals can offer to the communities in which they live as well as to other victim counselors.
- Encourages and promotes the professionalism of victim counselors to be supporting, advocating and caring for individuals, families and groups who are crime victims and to show care and concern for their neighbors, co-workers and communities.
- Ensures a standard level of service provided to all crime victims in Iowa regardless of type of victimization or location.
- Are ethical, victim-centered and trauma-informed.
- Recognize the value of specialized, skilled providers serving all crime victims.
- Instill confidence in clients and the community that victim services staff and volunteers have skills and competencies to provide victim/survivor-centered, trauma-informed intervention with those impacted by crime across Iowa.

Victim Counselor, Victim Advocate Best Practices, Expectations

Victim counselors should engage in activities which allow them to participate in their communities, work to prevent victimization and care for victims and communities in the aftermath of crime. Victim counselors have an ethical responsibility to all who seek assistance, including those from different cultures.

Victim counselors are expected to be competent, knowledgeable regarding violent crimes, and seek ways to increase their knowledge, skills and experience. They will refer victims to other agencies or seek consultation from others when it is best for victims.

Victim counselors are to be honest, credible and transparent with those they serve. They are expected to explain the services their organization can provide, what the client can expect from the organization, how to file a grievance, confidentiality, informed consent and how to work with the criminal justice system. In addition, victim counselors are to ensure clients they have the option to accept or refuse services and in which situations they can be anonymous.

Safety, stability, healing and justice for victims are priorities for victims and their advocates. Advocates must adhere to strict relationship boundaries and consider privilege and power dynamics, the difference between work and social relationships, and any prior non-victim type relationships, connections or knowledge of the victim. Because victimization may be a longterm issue, creating personal friendships between an Advocate and a client after receiving services is always inappropriate. Provision of services to persons related by consanguinity or affinity, within the third degree is prohibited. Sexual/romantic relationships with current or former clients is prohibited and is also a crime under Iowa Code Chapter 709.15.

Victim Counselors will work to increase victim safety; will respect the authority and autonomy of the adult victim to direct her own life; and will hold the perpetrator, not the victim, responsible for the violent behavior and for stopping the violence.

Victim Counselors will treat the client with respect and honesty in both verbal and nonverbal communication.

Victim Counselors will share knowledge they have with clients as it pertains to the client's situation. This may include but is not limited to the dynamics of domestic violence, sexual abuse, lethality issues, safety planning, effects on children, and the social and political issues that contribute to the continuance of sexual abuse and/or domestic violence and/or other violent crime.

Victim Counselors will accept what a client tells them about the violence.

Victim Counselors should withdraw services precipitously only under unusual circumstances, considering all factors in the situation and taking care to minimize possible adverse effects.

Victim Counselors who anticipate termination or interruption of service to clients should notify those individuals promptly and seek the transfer, referral, or termination of service in relation to the client's needs and preferences.

Victim Counselors will fairly distribute time, goods, and services among all clients. Advocates will not practice, condone, facilitate, or collaborate with any form of discrimination based on sex, race, color, age, sexual orientation, religion, national origin, political beliefs, marital status, mental or physical disability, economic, or any other discriminatory basis.

Victim Counselors will have knowledge of and respect for cultural backgrounds.

Victim Counselors will be knowledgeable and accommodating of disabling conditions.

Should one client's needs conflict with another client's needs, Victim counselors will act with regard to one client only after promptly referring the other to another qualified service provider.

Victim Counselors will assess clients to determine the nature of the violence, the extent of the violence, and the safety needs of the client. Victim Counselors will do nothing to increase the danger to or harm the client.

The Victim Counselor has an ethical responsibility to keep records.

Victim Counselors will keep records documenting services provided as mandated by funders in accordance with state and federal guidelines.

Victim Counselors will record documented data, not opinions, speculations, or conclusions.

Victim counselors will allow clients access to their own records.

Victim counselors have an ethical responsibility to themselves.

Victim counselors with education, training, and experience have the right to be called professionals and to be treated professionally.

Victim counselors have an obligation to join with other professionals to promote and support recognition and fair treatment of the profession.

Victim counselors will see to their own empowerment and nurturing.

Victim counselors will recognize when personal circumstances may compromise professional abilities, performance, or judgment, and will take steps to resolve those issues.

Victim counselors will avoid relationships or commitments that conflict with the interests of victims/survivors.

Victim counselors have an ethical responsibility to employers and colleagues.

Victim counselors will adhere to the policies and procedures of their employers.

Victim counselors will treat colleagues with respect, fairness, and courtesy.

Victim counselors should not assume professional responsibility for the clients of another agency or a colleague without appropriate communication with that agency or colleague within the bounds required by confidentiality.

Victim counselors must clearly distinguish in public statements their personal views from positions adopted by organizations for which they work or are members.

Victim counselors will report to competent authorities any conflict of interest that prevents themselves or a colleague from being able to provide ethical services, work cooperatively with colleagues or allied professionals, or be impartial in the treatment of any client.

Download core program requirements and best practices.

Code of Ethics for Victim Counselors and Certified Victim Advocates

The Iowa Coalition Against Domestic Violence expects victim counselors and certified victim advocates to act with integrity, to treat accused and accuser alike with dignity and compassion in an inclusive, equitable, anti-racist and accessible manner. To these ends, this code of ethnics will govern the conduct of victim counselors and certified victim advocates:

I. Victim counselors and certified victim advocates (hereinafter "advocates") have an ethical responsibility to victims who seek their assistance.

A. Advocates will be competent.

1. Advocates will have knowledge of the field of domestic violence, sexual abuse, and crisis intervention techniques and the skills to apply the knowledge.
2. Advocates will stay current on their certification and continue their learning to serve victims.
3. Advocates will operate within their competence limits, seek supervision if there is a question, and provide referrals for specializations and in areas where they require more knowledge.
4. Advocates will seek supervision and consult with colleagues to ensure services provided are in the best interest of victims.

B. Advocates will inform victims of the following:

1. Roles, responsibilities, and training for advocates.
2. Available services and resources that align with and may help the victim's needs and goals.
3. What victims can expect from sexual violence, domestic violence and dual programs.
4. All services are voluntary, and the victim may choose all, part or none of what is offered.
5. The victim's right to anonymity.
6. An explanation of confidentiality and privilege in accordance with IA code 915.20.
7. The procedures to report grievances.

C. Advocates will delineate between work and social relationships and will be aware of the inherent privilege and power differences. The Advocate will never exploit relationships with victims for personal advantage.

1. Prior and/or present social, familial or business relationships with victims should be disclosed in writing, in adherence with a written conflict-of-interest policy, which will be provided to a supervisor and vote by supervisor and designated members of a conflict-of-interest committee for the purpose of establishing the best boundaries between advocate and victim.
2. Provision of services to persons related by consanguinity or affinity, within the third degree is prohibited; this means: intimate partners, children, parents, siblings, half-siblings, grandchildren, grandparents, aunts, uncles, nephews, nieces, any step- version of the foregoing, or fictive kin that stand in these relationships. This prohibition may be waived if the relationship is disclosed in advance using the program's conflict of interest policy and appropriate boundaries have been put in place.

D. Advocates will not participate in sexual exploitation and abuse.

1. It is inappropriate to create a personal relationship with a victim who has requested, has

received, or is receiving services. Victimization may be a long-term issue; therefore, a minimum of 1 year after the provision of services should be adhered to before creating a personal relationship with a victim.
2. Sexual/romantic relationships with a victim who has requested, has received, or is receiving services is inappropriate.

E. Advocates will adhere to the following standards of care:

1. Provide adequate information to the victim so that they can make informed choices.
2.Treat the client with respect and honesty in both verbal and nonverbal communication.
3. Create a nonjudgmental environment, where the victim feels free to share honestly.
4. Believe the victim's story and provide tools for healing.
5. Allow victims to guide their healing while informing them of varied approaches.
6. Provide education to victims related to what is beneficial for their own needs.
7.Advocates will do nothing to increase the victim's danger or harm.

F. Advocates will understand the multifaceted nature of culture and its function in human behavior and society, recognizing the strengths and risk factors of all cultures.

1. Advocates should seek learning opportunities, education and resources about the nature of social diversity and oppression while actively seeking to understand intersections of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability with gender-based violence.
2. Advocates will actively request and co-advocate with culturally specific programs/organizations that have expertise in working with communities that have been historically disenfranchised.
3. Advocates will be knowledgeable and prepared to accommodate individuals who face barriers to traditional services including language accessibility, and seen and unseen for physical accessibility and neurodivergence, etc.
4. Advocates will refer to another advocate internally, before referring externally, if there is a conflict between one victim's needs and another.
5. Advocates will fairly distribute goods, services, and time according to each victim's individual needs.

G. Termination of Services

1. Advocates will only initiate termination of services abruptly under significant and mitigating circumstances, considering all factors in the situation and taking care to minimize possible adverse effects.
2. Advocates who anticipate termination or interruption of service to victims should seek referrals and potential case management transfers, immediately notify those individuals, and provide referrals, potential transfers or terminate services based on victim's needs and preferences.

II. Advocates have an Ethical Responsibility to keep records.

A. Advocates will keep records documenting the type of service provided as mandated by funders in accordance with state and federal guidelines.
B. Advocates will record statistical and factual information only.
C. Advocates will allow victims access to their own records and expunge all or part of those records at the victim's request.

III. Advocates have an ethical responsibility to themselves.

A. Advocates with education, training and experience have the right to be called professionals and to be treated professionally.
B. Advocates have an obligation to join with other professionals to promote and support recognition and fair treatment of the profession.
C. Advocates will see to their own empowerment and nurturing.
D. Advocates will recognize when personal circumstances may compromise professional abilities, performance, or judgment and will take steps to resolve those issues through employee resources, supervision, and other support offered by the program.

IV. Advocates will report violations of the Code of Ethics by fellow advocates by following the grievance procedures at their local program. Advocates may contact the coalition for further support.

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