

Sexual Assault Victims' Rights Amendment Act Task Force Advocate Expansion and Credentialing Process

NOTE: This intention of this proposal is to certify advocates to respond to sexual assault victims who are engaging the system outside of the DC SANE program. The DC SANE program is defined as the collaboration between the Office of Victim Services, MedStar Washington Hospital Center, DC Forensic Nurse Examiners, and Network for Victim Recovery of DC. The DC SANE program operates when a victim of sexual assault seeks a medical forensic exam in the aftermath of a sexual assault, and is governed by the Violence Against Women Act, the Office of Victim Services, and the Sexual Assault Victims' Rights Amendment Act.

This Task Force agrees that the vertical advocacy model that is implemented in the DC SANE process should be the standard of advocacy for any victim of sexual assault seeking services from any actor in the sexual assault response system.



Phase I – Data Gathering: Gather data on the personnel and financial resources that are necessary to expand the right to an advocate past the DC SANE process

During this phase of expansion, the Network for Victim Recovery of DC (NVRDC) has committed to working with the Metropolitan Police Department Sexual Assault Unit to

gather data on the types of cases for which an advocate is needed, the impact of holding an interview until an advocate arrives, the most effective way of providing access to a credentialed advocate, and the personnel impact for both MPD SAU and NVRDC that will occur with a 24/7, multi-location expansion of services.

This Task Force recommends that the Office of Victim Services and Justice Grants extend the contract for the Independent Expert Consultant to oversee this process and make recommendations on the fiscal and resource needs of such an expansion.

Proposed Timeline: April 1, 2016 – December 31, 2016

Phase II – Access to Advocacy Expansion – Request for Application

During Phase II, the Office of Victim Services and Justice Grants will issue a Request for Applications to solicit proposals from community-based organizations who are interested in providing advocacy services, consistent with the Sexual Assault Victims' Rights Amendment Act of 2014, as revised, and consistent with the needs of the victim and survivor community, as noted during Phase I of this project. **NOTE:** *This RFA will solicit proposals for sexual assault victims who are seeking services outside of the DC SANE process. Nothing in this RFA is intended to supersede the current services provided by the DC SANE process, but instead is intended to supplement the services that are currently offered.*

This Task Force recommends that the Office of Victim Services and Justice Grants extend the contract for the Independent Expert Consultant to oversee this process and make recommendations on the fiscal and resource needs of such an expansion.

Proposed Timeline: January 1, 2017 – March 31, 2017

Phase III – Access to Advocacy Expansion

During Phase III, the Office of Victim Services and Justice Grants will award a grant consistent with the goals of this initiative, for an organization to provide advocacy services to sexual assault victims who are seeking services outside of the DC SANE process. During this phase, the organization to which the grant is awarded will plan their full deployment response. Full deployment of the advocacy response will begin no later than October 1, 2017 (Fiscal Year 2018).

This Task Force recommends that the Office of Victim Services and Justice Grants extend the contract for the Independent Expert Consultant to oversee this process and make recommendations on the fiscal and resource needs of such an expansion.

Proposed Timeline: April 1, 2017 – September 30, 2017

Simultaneously to the expansion of the right to an advocate in the law enforcement process, this Task Force recommends the development of a process to credential new advocates that work in community-based organizations other than NVRDC.

NOTE: This Task Force does not foresee the curriculum as something that will replace the employee training program of any organization. Rather, the curriculum is intended to provide advocates the necessary knowledge to provide high quality advocacy outside of the DC SANE program or in conjunction with NVRDC.

Phase I: Develop a curriculum and plan for sexual assault advocate credentialing. This goal includes the development of a complete curriculum for sexual assault credentialing, including curricula for continuing education. The long-term intent of establishing such a credentialing system is to ensure that all credentialed advocates have “advocate privilege”.

The intent is for advocates to be free, confidential, culturally competent, and accessible where the victim enters the system. The advocate should be comfortable with the criminal justice system in the District, and understand how to provide all options available to the victim. The advocate should be willing and able to connect the victim to systems that are specific to a campus or other administrative system, systems and services that are culturally specific, as well as legal services.

Proposed Timeline: April 1, 2016 – March 31, 2017

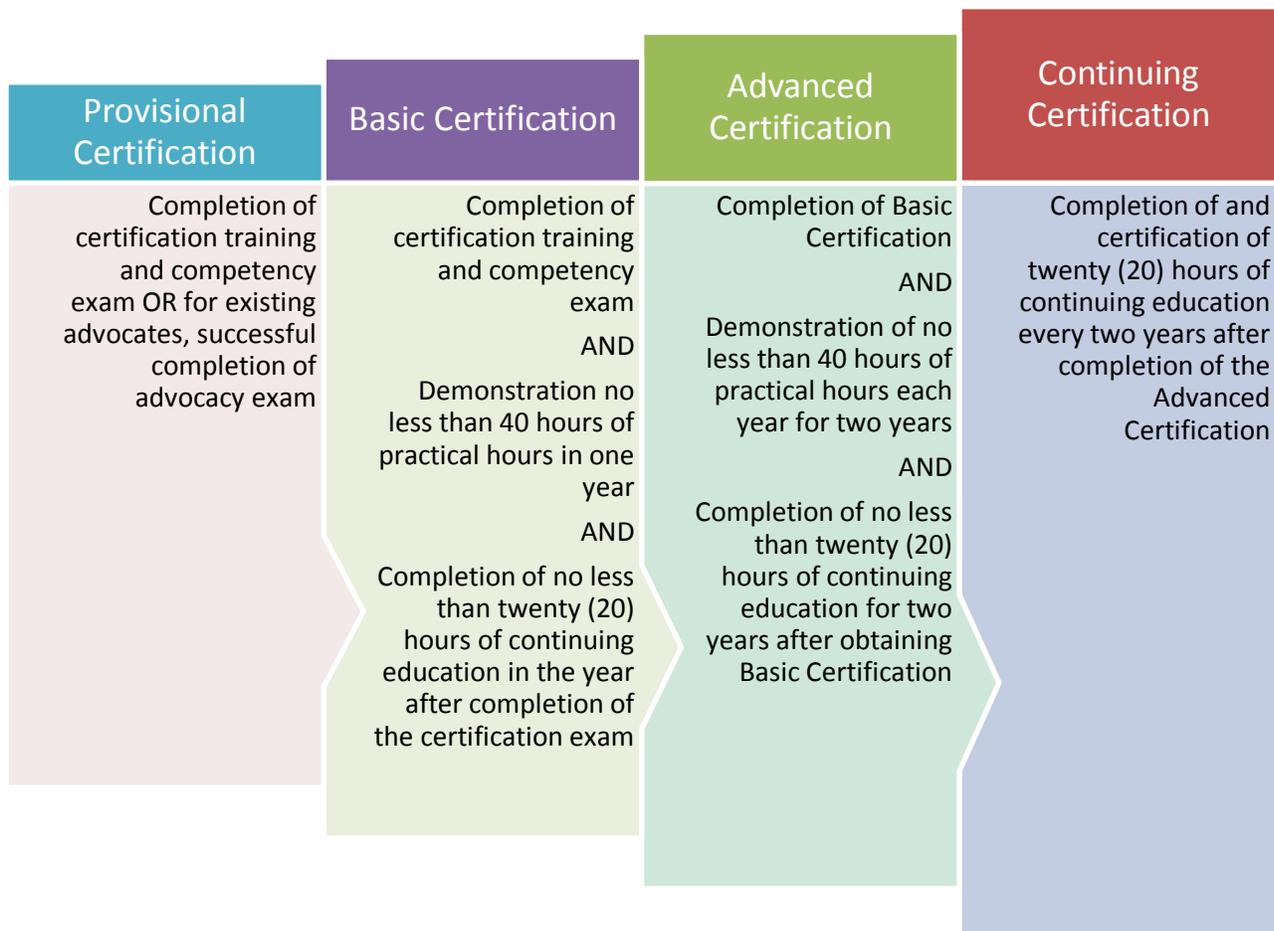
Objective 1.1: Establish a Steering Committee for Curriculum Development that will be managed by the Advocacy Review Board of the SART and chaired by the Network for Victim Recovery of DC. The curriculum for advocate credentialing will be developed using a Steering Committee. The Steering Committee will be comprised of no less than 10 members and no more than 15 members and should include, at a minimum, one representative each from: advocacy program working with the DC SANE Program, medical forensic nursing program, mental health provider, District of Columbia Sexual Assault Coalition, campus victim services, agency-based victim services program, culturally-specific victim services program, Metropolitan Police Department, United States Attorneys’ Office, and University or other program with demonstrated history of curriculum development. One member of the review committee shall be a liaison to the Board of Social Work. The Steering Committee will meet no less than once per month for the project period and will be responsible for directing all curriculum development, outreach development, and development of a plan to logistically manage the deployment of advocates.

The Steering Committee for Curriculum Development will also be responsible for working with the Feedback Review Committee of the SART to develop a brochure that will be required for all system actors who may be an entry point for victims and survivors

of sexual assault. The brochure should explain the role of an advocate, the right for a victim to have an advocate, and the different roles of “advocate” or “victim-witness coordinators” within the system. The brochure should clearly explain the victim’s rights in the system (law enforcement, prosecution, and medical), including the victim or survivor’s right to not cooperate. The brochure should clearly state how the victim or survivor can identify an advocate that is confidential. The brochure should be distributed in multiple languages, in both “traditional” access points, e.g. advocacy centers, courts, police stations, hospitals, and “non-traditional” access points, e.g. community medical centers, faith-based organizations, youth centers, community centers, substance abuse treatment centers, and culturally-based service providers. This list is not intended to be exclusive.

Objective 1.2: Develop substantive curriculum for new sexual assault victim advocates. As stated above, the Steering Committee will develop a substantive curriculum for sexual assault advocates. The curriculum will be a tiered program, which grants a provisional, basic, and advanced credential for advocates working with sexual assault victims in the District. Interested advocates will be expected to take a classroom course that is no less than 40 hours to receive a provisional license. Classroom coursework for a provisional license shall include modules (with plan to test competency) in each of the following areas: victim services ethics; confidentiality; law enforcement investigation for sexual assault; prosecutorial process for sexual assault; medical forensic process for sexual assault victims; introduction to the Sexual Assault Response Team; short and long term mental health impact of trauma; introduction to culturally specific impact of sexual assault in the GLBTQI community, community that identifies as African-American or Black, the deaf and hard-of-hearing community, and immigrant communities, including (but not limited to) African, Latino/a, pan-Asian and Pacific Islander; roles and boundaries of an advocate; legal options available to sexual assault victims; working with DC-based colleges and universities; working with military installations; law and policy of DC related to sexual assault; practical crisis intervention strategies; practical allied professionals training; intersections of sexual assault, intimate partner violence, stalking, and identity theft; working with polyvictims; working with children and youth who have been sexually assaulted; working with victims of human trafficking; how to manage vicarious trauma; and crime victim compensation. These modules are the minimum standard for provisional certification, but the Steering Committee may choose to add additional modules based upon need and interest of the Committee.

We propose a tiered certification process as outlined in the graphic below.



Objective 1.3: Develop a plan for continuing education of advocates. Like most professions, it is essential to ensure that all advocates that are active in the District maintain a base level of competency. Like the curriculum and the substantive requirements for “grandfathering” an existing advocate, these decisions will be made by the Steering Committee. However, we propose that all advocates be required to demonstrate that they have successfully completed continuing education in any of the following areas every two (2) years: victim services ethics; confidentiality; law enforcement investigation for sexual assault; prosecutorial process for sexual assault; medical forensic process for sexual assault victims; introduction to the Sexual Assault Response Team; short and long term mental health impact of trauma; introduction to culturally specific impact of sexual assault in the GLBTQ community, African-American and African immigrant communities, Latino/a community, Asian-Pacific Islander community, and deaf/hard of hearing community; roles and boundaries of an advocate; legal options available to sexual assault victims; working with DC-based colleges and universities; working with military installations; law and policy of DC related to sexual assault; practical crisis intervention strategies; practical allied professionals training; intersections of sexual assault, intimate partner violence, stalking, and identity theft; Sexual Assault Victims’ Rights Amendment Act of 2014

Task Force Report

Addendum C: Advocate Expansion and Credentialing Process

working with polyvictims; working with children and youth who have been sexually assaulted; working with victims of human trafficking; how to manage vicarious trauma; and crime victim compensation.

To be eligible for continuing education credits, the education module has to submit a curriculum and training plan, as well as a competency evaluation plan, to this organization no later than thirty (30) days prior to the start of the training or continuing education opportunity. Only then may an advocate use that training or education opportunity to gain continuing education hours.

Objective 1.4: Develop a plan for advocate accountability. While the exact plan for ensuring advocate accountability will be developed by the Steering Committee, we propose the following procedure as an outline. Believing that continued competency, confidentiality, and ethics are central to an effective and high quality advocacy team, we propose that all certified advocates be accountable to an Advocacy Review Board, which is a part of the DC SART. Any victim, any agency, and any organization in the District should have the ability to submit a complaint or statement of concern about any certified advocate the DC SART Advocacy Review Board. Alternatively, the DC SART Advocacy Review Board can initiate a statement of concern or complaint if there is good cause to do so. This process should be developmental in nature, and seek first to engage the credentialed advocate in an educational process to enhance his or her knowledge, skills, and abilities so that he or she may confidently and effectively serve victims of sexual assault. However, the DC SART Advocacy Review Board shall have the ability to issue a range of sanctions for inappropriate or sub-standard behavior, including suspension of certification, temporary withdrawal of certification, and permanent withdrawal of certification.

This is an area of proposed legislative change. The Task Force recommends that the DC Council amend the existing SAVRAA legislation establish an Advocacy Review Board as a committee of the DC SART and provide that Advocacy Review Board with the authority to hold advocates accountable in accordance with these recommendations.

Objective 1.5: Present plan to DC SART, DC VAN and OVS, incorporate feedback, and finalize curriculum and plan. After completion of the curricula and the plan, both will be submitted, along with the plan for initial training, and the plan for accountability to the DC SART, DC VAN and to OVS for review and comment. After receiving feedback from both entities, the Steering Committee will finalize the plan and begin working toward Goal 2.

Goal 2: Establish a corps of credentialed sexual assault victim advocates

Proposed Timeline: April 1, 2017 – September 30, 2017

After the curriculum is complete, a Request for Applications should be published by the Office of Victim Services and Justice Grants no later than May 1, 2017 to solicit applications from organizations and agencies for the purpose of implementing the curriculum. Once proficiency is certified to the DC SART, the Office of Victim Services and Justice Grants will certify the advocates, with the approval of the DC SART. A plan for evaluation of the training, demonstration of proficiency, and outcomes of the advocacy program shall be included in the proposal. An evaluation report shall be delivered no later than March 31, 2018.

Objective 2.1: Establish a review committee for advocate applications and advocate certification. After the plan is created, the Steering Committee for Curriculum Development will begin the process of accepting applications for advocates to participate in the initial advocate training. To ensure accountability to the process, the Steering Committee will solicit no less than three (3) and up to 5 members to serve on a credentialing review sub-committee. All members of the review sub-committee shall have experience in the field of sexual assault response, but no more than two (2) members of the sub-committee may be associated with advocates who are seeking to apply for credentialing. And, no more than two (2) members may be members of the Steering Committee. One member of the review sub-committee shall be a designee of the Board of Social Work. To be associated with an advocate applying for credentialing, means to be related by blood or marriage, or to have a professional relationship as employer-employee. Review sub-committee members will receive the applications for advocates and will review the applications to ensure that each applicant is sufficiently qualified to be an advocate, per the guidelines approved by the Steering Committee. The review sub-committee shall admit advocates into the initial training. After the competency exams are complete, the review sub-committee shall approve advocates for credentialing. A review sub-committee shall be convened to certify advocates for each new Academy/training.

While the Steering Committee will determine the minimum requirements for a person to become a credentialed advocate, one of the requirements shall be that all applicants to be a credentialed advocate shall maintain independence from any personal or professional affiliation that would impede their ability to advocate solely for the interests of the sexual assault victim or survivor. Stated another way, the potential advocate may have no conflict of interest that would prevent him or her from ethically and completely advocating for express wishes of the sexual assault victim or survivor.

Objective 2.2: Plan and hold an Academy for newly credentialed advocates. The Steering Committee shall plan and hold an Academy for admitted advocates and shall hold the competency testing advocates who have completed the training.

Objective 2.3: Deliver a list to OVSJG, the DC SART, and the DC VAN of credentialed advocates.