

NCJTC- Fox Valley | OVC Community of Practice: Mobile Advocacy in Tribal Communities

Welcome, everyone, to the National Criminal Justice Training Center Community of Practice webinar, the Mobile Advocacy in Tribal Communities. This community of practice was developed in partnership with the Tribal Law and Policy Institute. Today's presenters are Bonnie Clairmont and Kelly Stoner from the Tribal Law and Policy Institute, and my name is Kevin Poleyumptewa.

Before we begin the presentation, there are some items I need to go over. This project was supported by a grant awarded by the Office for Victims of Crime, Office of Justice Programs, US Department of Justice. The opinions, findings, conclusions, or recommendations expressed in this webinar are those of the contributors and do not necessarily reflect the views of the Department of Justice.

What is tribal community of practice? A community of practice is a group of individuals who convene over common interests to discuss, learn, and improve practices within a relevant field. Our particular community of practice will focus on tribal victim services. They are designed to encourage you all, as grantees, an opportunity to build rapport while fostering communication between professionals dealing with similar issues. Our overall goal is to create adaptable sessions that meet your needs and encourage open dialogue in a learning environment.

Over time, we hope this group will develop a unique and shared understanding about practices that maximize resources while creating opportunities to produce materials that support common work. With that, let's try our first poll question. This is a simple question to find out who is joining us today. The question is, which of the following best describes your role? And your choices are victim services provider, judge or attorney, law enforcement, CAC, social worker, mental health advocate, or other.

And as you can see from our first poll question here, we have 50% of you are victim service providers. We have 6% who are either a judge or attorney. We have zero law enforcement today, and 31% who are child advocacy center workers, social workers, or in mental health. And 13% are other.

And I am pleased to introduce you to our presenters Bonnie Clairmont and Kelly Stoner from the Tribal Law and Policy Institute. Bonnie Clairmont serves as a Victim Advocacy Specialist for TLPI. She has worked more than 25 years advocating for victims and survivors of sexual assault, battery, and child sexual abuse, particularly those from American Indian communities. Bonnie has provided leadership on various teams and conferences focused on sexual assault and exploitation.

Kelly Stoner serves as a Victim Advocacy Legal Specialist for TLPI. Kelly has taught law classes and

worked on various projects related to domestic violence and sexual assault cases. For eight years, Kelly served as a judge for the Seminole Nation of Oklahoma. Kelly also helped to launch the Native Alliance Against Violence, Oklahoma's only tribal coalition against domestic violence, sexual assault, and stalking.

And with that, I'll turn the time over to you, Bonnie.

Thank you, Kevin. So I'm going to say good afternoon and thank you for joining us in--for today's webinar on mobile advocacy. The learning objectives for today's webinar and our topic are listed here. Participants will be able to discuss the basics of mobile advocacy in responding to crime victims, will be able to identify benefits of deploying mobile advocacy for crime victims, will be able to review logistical planning needed to implement mobile advocacy services. And also, participants will be able to understand the importance of protecting victim rights to confidentiality and privacy within mobile advocacy services.

So we want to talk about what is mobile advocacy. And mobile advocacy is where advocates provide advocacy services to victims in safe locations in the community and locations that are convenient to the victim. So examples of this may include meeting a victim at a coffee shop, at a community program office, at the victim's home. It may include going to appointments together, where a victim may have appointments with the housing in order to secure a permanent housing, may have appointments with a child welfare program or child advocacy center, may have legal appointments, may have hearings, court hearings, and also medical. There may be a need for some medical services for injuries that the victim may have sustained as a result of the crime. So mobile advocacy would be able to accompany victims to these appointments.

When we talk about, you know, the role of advocates in advocacy, you know, it really is pretty basic. Ending violence against women and all other forms of violence lies in our ability to reclaim our roles and responsibilities as relatives. And advocates, ideally, role model the sacred connection because, you know, every tribe has kinship systems, kinship networks. And within each tribe, we also have values that tell us how to be good relatives, how to treat one another and help one another. So advocacy really is about role modeling that sacred connection and that responsibility we have to one another.

I wanted to share a little information about the historical perspectives of advocacy. As I traveled across the country, I see, you know, advocacy service and the advocacy model change. It seems like it's evolving in different places to look more like social services or other kinds of services that are

offered. So I wanted to just take a little tour in history to look at the origins of advocacy.

And when we look at tribal nations, you know, pre-contact were, and still continue to be mostly matrilineal in social structures. Women were considered sacred and very powerful, and at the center of their families, and also at the center of their nations. In the late '60s, and '70s, this was the era of self-determination as we know it, where social activism sparked an upsurge of women organizing, speaking out about violence happening in their communities and in their homes. Native women at that time organized in their kitchens or on kitchen tables, on their front porches to say, this is happening in our community. What can we do?

This era gave birth to advocacy model based in social and systems change work. And first battered women's shelters started during this time, and the model of advocacy based in victim empowerment and safety and better accountability was born. And, you know, the social and systems change work is a really important part of advocacy, so that we're not only providing services, but we're looking at how we can improve the response to victims of crime while we do this work so that services can be more seamless.

And this movement also pushed for change in attitudes about gender equality, and also created a lot of policy and legislative changes to create and implement more programming for crime victims, especially in the area of domestic violence back then in the '70s, '60s and '70s. Shelters and advocacy programs were set up. And then we all know 1994 was the first passing of the Violence Against Women Act.

And there's been new ones since then that get revised each year, or not each year, but with each legislative session. Tribal coalitions sprung up, and more programming in tribal communities through tribal governments program also came about as a result of VAWA, the Violence Against Women Act. So a lot of positive change has happened to create better services in tribal communities, especially resources that are sorely needed to create the programming.

So this definition of the role of the advocate, this was developed back in 1996, a group of native advocates, during a weekend retreat here in Minnesota. It was organized by Mending the Sacred Hoop and they're a tribal technical assistance provider located in Duluth, Minnesota held a meeting and said, you know, we really need to look at what is it that we do? You know, we don't have a definition for what we do. And this was the definition that the advocates developed at that weekend retreat.

They said that the role of the advocate is to act as the biased supporter of women and advocating for

the expressed interests and safety of women and their children, including safe space and other resources to regain control over their lives, to provide leadership and expertise based on women's experiences with justice, law enforcement, social service, and medical systems, to prioritize women's safety and offender accountability in all aspects of the work, including maintaining confidentiality.

So some of the bolded words, the word biased, advocates are very biased. You know, that's our role. That was the role of advocates, to believe and to support women. And again, you know, this is not to say that men are not victimized. You know, absolutely they are. But at this time, they were seeing an increase in the number of women who were experiencing domestic violence, for example. So a lot of organizing was done around that issue.

And yes, we are very biased, and that's the nature of advocacy. And advocating for the expressed interest, so that we're not assuming that the people that we're working with need x, y, and z, that we want to ask them, we want to give them information about their options, the resources that are available, and, you know, really give them information so they can make informed decisions about their lives, about their safety, and the safety of their children.

And it's, you know, the main thing is safety, and that's number one in our work with victims of crime, of any crime, is safety, always. For everything that we do with victims, we have to ask, how is this keeping this person safe? You know, what are the risks as far as their safety? Are we giving them enough information in order to be safe? So that's always number one.

And also offender accountability, to look at what are the gaps in our system where offenders, you know, aren't being held accountable, and working at closing those gaps. And then also maintaining confidentiality, you know. I always say that confidentiality is the cornerstone of safety, that without that, we are placing people at risk if we are not always looking at the issue of confidentiality and safeguarding that for victims that we work with.

So I wanted to review just briefly the needs of victims that advocates spend a lot of time on. And these are also going to be a part of mobile advocacy, that these are not left somewhere, that these are some of the needs that we work with victims to address when they come to our programs.

And like I said, it's safety. Safety is number one. Where is the victim? When you're hearing from them, where are they? If they're requesting advocacy, they're seeking services. These are some of the common questions that are asked. Is the victim safe there to talk? And who is the assailant? Where is the assailant? Does the assailant have a weapon? And any other information the victim can provide. And also, are there children involved? Are they safe?

So these are some key questions whether you're looking at developing a mobile advocacy or you're answering a crisis line. And these are all advocacy areas that training is available on to really fine tune the advocacy skills around these different needs that victims may have.

Does this person need medical attention? Have there been injuries and they need treatment for those injuries, for themselves, for that person, or for their children? Is there a need for emergency contraception? Was there a rape? Does this person need pregnancy prevention, in other words? And also to gather evidence if there was a sexual assault.

And oftentimes, you know, victims do need support, whether it's emotional support, or information and referral, or accompaniment to securing some of these services or securing medical attention, for example.

So this is where, you know, mobile advocacy can be really helpful, really instrumental in providing that kind of accompaniment, whether it's to the hospital emergency room, or to court appointments, for example, where advocates often will do legal advocacy work with the victim, with the criminal justice system in order to file for protection orders, for example, to do safety planning.

And this can be done anywhere at any point. And oftentimes, it needs to be redone because circumstances change for victims. So it's really important to always look at the importance of safety and doing safety planning. If they make a move, if they have a court appointment, you know, to look at what are the safety precautions? You know, how can the court keep that space safe for a victim that has a court appointment where they may encounter their perpetrator?

Also, doing legal advocacy work if child welfare is involved, or they need, you know, civil legal assistance if there's custody issues, and so forth. If they want to file a criminal complaint, to help them do so, to know the jurisdiction where the complaint needs to be filed. And also, to help a victim navigate the criminal justice system because it can be really confusing and intimidating, frustrating for victims.

And also to attend to basic needs. Mobile advocacy can help that, and also with transportation, for example. Many victims may not have transportation. They may need food. They may need to find a place where they can get food for themselves, their family, and their children. They may need clothing. They may need emergency shelter, safe housing, so providing transportation to those resources. If they're going to stay in their home, they may want to have their locks changed.

So these are all services that mobile advocacy can help with as well. And then also follow-up advocacy. Whether they're receiving services in the shelter or through the mobile advocacy service, follow-up advocacy is sometimes important so that that victim knows they still have that support from the advocate.

So we're looking at victims that need services, for example, after leaving a shelter. And this is, again, a place where mobile advocacy can be really helpful to a victim. And then there's also victims who may not want to be in a shelter, but still need advocacy services. They still need that protection order. They still need emotional support. They may need to find housing, permanent housing or transitional housing, and they have no vehicle. Or if they have a vehicle, it may not be very reliable.

They may not have a good support system to help them, or, you know, they're concerned about people knowing about what's happening to them and really don't, you know, want to intrude upon anyone or to put them out of their way. So they don't want to ask family or friends for support, for transportation, for example.

And many victims want to escape the abuse and seek safety but lack the resources. So this is, you know, a good resource for victims that fall under these categories that still need the services, and particularly the safety and the advocacy.

So I just want to call your attention to two different types of advocates. There's community-based advocates that work for tribal, nonprofit, or independent advocacy organizations. And there's also the system-based advocacy and advocates. And these are advocates that work for criminal justice agencies such as victim witness advocates, or advocates that are based in the prosecutor's office, or advocates that are based in law enforcement agencies. And then there's also advocates who are hospital based.

And there's differences in terms of the confidentiality, the extent to which they keep information confidential. And there's also different training considerations. In order to be an advocate in most states, you have to have the 40-hour training that's provided by an agency that is certified by a funding agency in that state. So a community-based advocate may provide services to all victims. So anyone who requests services, who calls the shelter, for example, or who calls for mobile advocacy services, can receive services.

And there may not be any limits in terms of the duration of services that are offered. In some shelters, maybe there is a 30-day limit, but they also can receive follow-up services, whereas a system-based advocacy program may only be for the duration that the case is being processed

through the criminal justice system. So any time a case is charged, there's a victim witness that's assigned to the case and stays with the advocate for the duration of the prosecution, accompanies the victim to meetings with the prosecutor, prosecutors, accompanies that person through the trial process, helps them develop a victim impact statement, for example.

And then once the case is done, it's completed, then that relationship ends unless something happens with the case or they want to bring her, or the victim, back in for testimony, perhaps on another case.

And we have our second poll question. And the question is, do the advocates in your community provide mobile advocacy or outreach advocacy? The options are yes, no, I don't know, I am unaware of a tribal advocacy program in my community.

And as you can see here, do the advocates in your community provide mobile advocacy or outreach 89% answered yes, 6% answered I don't know, and 6%, I am unaware of a tribal advocacy program in my community. All right, Bonnie, back to you.

OK. That was pretty interesting. So there are mobile advocacy or outreach advocacy services that are available in tribal communities. So that's awesome to know.

So with the onset of COVID-19, that's brought a whole lot of additional issues, particularly for victims of domestic violence. So I wanted to just spend a minute talking about those additional challenges and burdens that have been brought because of COVID-19. I believe that it's presented increased threats to intimate partner violence as well as child abuse because of, you know, the motivation, or the motive behind batterers, their motive is for power and control.

And, you know, it's an ideal situation when the family is quarantined together. And, you know, the shelter in place orders were imposed. Victims were then confined to their home, where the batterer is monitoring their every move. So this victim, the battered woman is not able to secure outside support, you know.

And with the additional stress brought on by COVID-19, that could escalate the violence. And, you know, without that outside support system, you know, it really creates a much more toxic environment, a much more volatile situation for battered women and their children where the batterer may increase the violence to satisfy the need for power and control, and at a time where batterers losing control, maybe perhaps due to financial strain or layoffs or furloughs.

And this all can just create a lot more strain on the relationship where there's already the battering,

the power and control issues that are happening. So again, the victim is cut off from the family, is isolated due to that controlling behavior, and then further supported with being quarantined or isolated with the batterer.

And there's a need to escape the threat of violence. And again, this is where mobile advocacy can be really helpful. And also, the threat of violence may become more volatile when the victim leaves or threatens to leave. So again, even though mobile advocacy can help in this situation, there's always that threat, you know. And it becomes much more volatile when, you know, victims leave because the batterer is losing power and losing control. So we'll talk about safety measures that can be taken when we look at implementing mobile advocacy.

Mobile advocacy can be, you know, an enhancement to shelter services, so it can be an arm of shelter services. I think that's how most of them are operated. As an advocate, we divided up our roles where there was always someone who worked inside the shelter, worked with the residents, help them do some planning, some goal setting, helped them really, you know, determine what their needs are, and helping them with resources on how to meet those needs, and also the needs of their children.

And then also, there were other advocates that were assigned to do outside advocacy, outreach advocacy to take women to courts, to take women to look at housing, to meet with, you know, housing specialists to see what's available in the community. So it can be an enhancement of shelter services, which I think is really a positive thing.

And also, you know, it makes it possible for advocates to reach out to victims of domestic violence, sexual assault, other crimes. So meeting the victim where they are, which I think is really important. When I talked about, you know, kinship values and how we help one another, you know, that's what was done back in the day, where people visited each other. People checked on each other.

And so the mobile advocacy model is sort of an extension of that. Again, you know, as long as there are safety measures that are taken. And also through this, you know, emotional support can be provided to the victim, and also the children, because, you know, they're feeling somewhat isolated and need that kind of support.

And then accompaniment and transportation for victims. Like I said, you know, the victim may not have reliable transportation, but also feel sort of isolated and a little intimidated, afraid of the services out there, maybe even afraid of meeting someone that's going to ask about what's going on, or. So this way they have a support system with them.

Legal advocacy, civil and criminal advocacy, accompaniment to hearings, and safety planning. Again, these are all services that can be provided within mobile advocacy services. And like I said before, food and other basic needs. You know, wherever she's staying or wherever he's staying, you know, they still have basic needs that need to be met, and especially if there are children.

So mobile advocacy can help them. You know, perhaps, maybe, the victim has gotten a protection order and is staying at home. But, you know, the batterer may control the economics or the financial resources so they have no money for food, for example. The batterer has taken their debit card or their credit card, and now, you know, the victim is unable to secure the basic needs that she has, and also for her children.

So mobile advocacy can help with this as well, can give her a ride, you know, to the local food pantry, or, you know, to be able to go grocery shopping, for example. Or maybe the shelter provides some emergency assistance to help victims with food. So this is another thing that can help victims through mobile advocacy.

It's important to look at, you know, some of the challenges. Any time an organization is looking to develop a mobile advocacy program, you know, there may be some community resistance. And part, you know, of our jobs-- I say our because I still feel like an advocate-- is to be able to provide community awareness about the issues, about the crimes that we're addressing through advocacy. And this is important in order to get buy-in, to obtain buy-in from the community, to obtain buy-in from other agencies that may be needed to, you know, access their services. So the more community education awareness that can be done, I believe, will reduce the level of community resistance and apprehension about these services.

Sustainability and funding for advocates, funding for a vehicle. You know, I think it's better that, you know, a vehicle is purchased rather than an advocate having to utilize their own vehicle because, you know, the word gets around. Everyone knows who the advocates are. You know, sometimes there's some stigma attached to it. So it would be better to have a vehicle that's owned by the organization that can be utilized for the mobile advocacy services. And of course, gas and maintaining the vehicle, all of this requires some financial resources.

This type of work may feel isolating if we only have one advocate providing all of those mobile advocacy services. You know, in most tribal communities, there are not a lot of advocates. You know, I've seen communities where there's only one or two covering a pretty large geographic area. So if there is only, perhaps, one mobile advocate on duty, that could feel really isolating to an advocate.

So it's really important to plan ahead for support to that advocate.

Safety and privacy may also be a concern, so it's important to discuss all of the possible safety considerations, you know, and what situations might come up that could be unsafe to the victim, unsafe to the advocate. And then also, all of the confidentiality policies need to be in place. And my colleague, my friend Kelly, will talk about those later.

And then also the concerns about anonymity. You know, I think it's really the choice of the program itself in terms of are you going to educate the community about the mobile advocacy services, or are you going to keep them anonymous as long as possible. So it's important to really look at that ahead of time.

So if there is resistance in the community-- perhaps community members, tribal leadership not supporting the need for mobile advocacy-- it's important to you know, really get the word out about the importance of mobile advocacy. And again, you know, what I used to say is if you have a relative who needs these services, then you'll understand the importance of the services.

So to develop PSAs, to develop brochures, and really get out there in the community to create that awareness. And the benefits-- again, I've addressed some of these-- is really enhancing the accessible shelter services so that the shelter is creating sort of this arm, the extension of what services are provided in the shelter by creating this mobile advocacy unit.

And also, the needs of victims are assessed to be able to look at you know, who can benefit from the mobile advocacy services, and also, to look ahead at, you know, the kind of community awareness and buy-in that's needed because, you know, there may be times where, you know, an advocate is out taking a victim, and they need to find someplace where they can park, where the advocate can provide emotional support, for example, or they can do some safety planning. It's not always conducive to do that while driving, for example, so they want to park somewhere. And maybe to have a relationship with their local law enforcement, for example, might be really important in these situations.

It also may require specialized training for advocates. This is something that is not always--the training isn't always provided within a 40 hour training program, so it's important to look at what are those training needs that an advocate that's going to provide mobile advocacy may need. It may result in increased reporting rates. Just being more accessible to victims, you gain the trust of victims. You know, if you're more accessible to them and to their needs, there's trust that may be gained, and

as a result, there may be an increase in the number of reports that are being made, and also the number of victims utilizing services.

So again, sustainability is a factor, and there may be a need to do some fundraising to hire additional advocates. And I think, ultimately, improves the perceptions of service providers and of advocates that they're being much more accessible to victims, and meeting them where they are, and identifying those needs together, and being more accessible.

And now we have a scenario that we hope will prompt participant discussion. After I read this scenario, we will have a set of questions, and I will provide instructions on how you can participate in the discussion. And our scenario, here is. Rachel lives on a reservation in a small, remote community with her abusive spouse. She has left her abusive partner several times in the past and has sought safety at the local battered women's shelter along with her children.

Rachel recently escaped with her children and is staying with a relative. Rachel needs help obtaining a protection order, retrieving her belongings from the home, seeking some medical attention for some injuries, and needs medication for a chronic condition she has, and just needs emotional support as she lacks a good support system. Rachel contacts a shelter for help. Rachel doesn't want to be in the shelter.

Now shown are a set of questions regarding this scenario. First question is, would Rachel benefit from mobile advocacy, and how so? Second question is what would be some safety concerns you would have for the victim and for the victim advocate?

So let's go ahead and get your opinion on these two questions here.

Well, for many victims that leave their abusive situation, you know, they return and they leave again, this oftentimes cause alienation from her support system, where her support system is saying, you know, she's just going to go back. I'm not going to get involved. And she, perhaps, may have been at the battered women's shelter along with her children sort of off and on.

And the same thing. Sometimes there is an attitude of, oh, she's going to go back again, so, you know, why make the investment? Unfortunately, that sometimes is the attitude where it shouldn't be. So now, you know, even if that isn't, Rachel maybe feeling really sort of embarrassed and may feel a sense of sort of I don't want to bother anyone. So she's staying with a relative, but also, you know, that relative maybe feeling sort of fearful that, you know, something may happen to her or the relative. Rachel's feeling like, you know, protection order, you know, might be really important for

her, and also to retrieve her belongings.

So this is something that mobile advocacy can help with. You know, while she's trying to figure things out, she still needs to be safe, and she still needs a support system, someone that can, you know, help her to, you know, access the services that she needs.

I think, you know, it's important for her to have a protection order and to have that available to her, and to make sure that law enforcement know that she has a protection order, and also for the victim to be aware of, you know this perpetrator and who he is, who, you know, the perpetrator is, and the kinds of things that have happened before, and also to take safety measures for herself as well as the children, you know, if there is a threat to the children, if maybe he's used the children in the past to gain access or control of the victim.

These are the kinds of things to find out, and also to do safety planning, to really look at what if, you know, OK, so we'll go over here, and I'll help you access these services. So what if he shows up? What's our plan? What are we going to do?

And so have those kind of plans made ahead of time so that if something does come up, they're both going to be aware of what the plan will be, and, you know, to be mindful of, you know, where they can seek safety if something happens, you know. What are the mechanisms? Where are the safe spaces they can go? Where is the local law enforcement? What do they know? How have they been in the past? So all of these things need to be considered and discussed ahead of time.

All right. Great, Bonnie. And we did have a comment or an answer here, too, and it seems like you have covered everything that they also had. And their answer was yes to Rachel would definitely benefit from mobile advocacy. And safety concerns would be during times she was attempting to get her belongings from the home, during court over the PA, and medications are necessary. So definitely would benefit from the mobile advocacy in this particular situation.

So now we'll go into our next poll question here. And the question is, do you feel mobile advocacy is needed by victims in your community? Yes, no, or you're unsure. And our results here show that 100% of you agreed that mobile advocacy is needed by the victims in your community.

So an important thing, you know, I believe, is to lay the ground, right? To seek buy-in from stakeholders. And, you know, sometimes we think anonymity is important and to keep things private, confidential, unknown to people just to safeguard programs like this. But I've also seen where in some communities, they are really rooted and really in the community. And there is a lot of

community support for the shelter, for example, in the kinds of services that are offered and provided by the shelter.

So, you know, it's an important discussion to have with planners and those wanting to implement a mobile advocacy unit because I think that if that is the case, then community education and buy-in are really important. And if that's deemed important, then it's important to seek input from the community, to survey the community, maybe by way of having focus groups, or maybe doing phone surveys, or whatever it is that your tribal leadership is willing to allow you to do.

It's not really like research, you know. It can be anonymous, where you're just really wanting to gather information. And it's important to ask the community about the needs around domestic violence and sexual assault, particularly things like, you know, do you believe that all victims are going to want to go into a shelter, and why not? You know, what are some of the concerns around, you know, accessing a shelter or being in a shelter? So, you know, this would lead to some more questions around the availability of mobile advocacy.

And then once those needs are determined, is to make changes identified in the needs assessment so that you're not just serving the community and seeking their, you know, advice or their information on their needs, but you're actually working on filling some of those needs.

Then also to look at, you know, what kind of staffing you need to run a mobile advocacy program. You know, do you have adequate staff right now? Or, you know, is additional fund raising needed in order to have a full complement of staffing? So those are decisions, again, that need to be made by the administration.

So it's important to get support from your board of directors, and also others that are currently working in the shelter, and how this is going to impact them. If you have advocates that are solely responsible for providing the mobile advocacy, that's going to be their only task, versus working in the shelter on a day-to-day basis. So really dividing up those roles, and then seeking the input of all the staff that are currently working in the shelter, for example.

And then also looking at the funding resources that may be available. You know, oftentimes, you know, there's VOCA, and there's other types of funding that becomes available from time to time. You know, what kind of funding can fund a mobile advocacy program? So where there is transitional housing, for example, mobile advocacy maybe a similar enhancement. So, you know, it's sort of that next step where even if someone is in a shelter, they're going to be leaving soon, and they may be going into even transitional housing, where they're still going to need some support.

And they may not have, like I said, the reliable transportation. And they may need continuing information about the services that are available to them. And communication is critical, with a supervisor, with co-workers, and so everyone is being kept informed so no one feels sort of alienated from the process, but can be supportive, so once full implementation happens, everyone feels, sort of, some pride in the fact that they helped with this effort.

So community education to establish community readiness is important. It's difficult to launch a new phase of a program without knowing, are we really ready for this? Have we look at every possible scenario with this new service? It may prove to be beneficial to hold some community awareness sessions to inform the community in order to seek their support, and also to address the needs, like I said earlier, and work to remedy the need and report back to the community on the progress that's being made to meet the need so that the community is constantly being kept informed of changes that are happening with the program, with the domestic violence program, for example.

And seeking support from the top down is always good. So going to tribal leadership is really important because there may be opportunities to receive resources, maybe through tribal revenue, for example. So communication with community stakeholders is really critical and important, as well as communication with first responders, court personnel, and tribal leadership is critical because again, you know, as a mobile advocate, for example, you'll be working with some of these in the course of providing the advocacy through a mobile advocacy unit.

So these are some of the agencies that it might be important to communicate with and to establish collaborative relationships with on behalf of the mobile advocacy program with your local law enforcement agency because like I said, you know, if a advocate doing mobile advocacy, you know, feels like there's a danger present and they need the help of law enforcement, you know, you sort of eliminate having to explain what you're doing, and who you are, and how you're helping this victim by educating them upfront that you have this new program, and this vehicle is the vehicle that we'll be utilizing so that they're aware of the services that are being provided.

Maybe even community centers, you know, if you need to use one of their offices, for example, because you need to not drive, or you don't want to be sitting in your vehicle providing emotional support, for example, you may want to work with the local tribal program to utilize one of their offices. Perhaps, maybe, the victim you're working with wants to smudge, for example. Of course, you could smudge in a car, but sometimes it's better to be inside of a physical location, so really ensuring that there's safety there, and working with staff within that community center that, you know, here is

the safety issues.

And also, working out confidentiality issues ahead of time is also important. I've seen agencies that have entrances specifically into a particular room that can be utilized by an advocate doing mobile advocacy where they don't have to go through the entire building to get to that particular room where they can meet with the victim. Or with churches, you know, if they're doing outreach or mobile advocacy with child support or child welfare program, you know, finding out ahead of time where they can meet with the victim, and also the child welfare worker within that agency.

Hospitals and clinics also. You know, if an advocate in this program is taking a victim to the emergency room for treatment, it's important to see is there a room? Is there a room where you can wait as the advocate, or you can meet with the victim while you're waiting for that victim to be seen?

Colleges is another place. So wherever this mobile advocate may be taking the victim, it's really important to work out those details ahead of time so you know, those safety issues and confidentiality issues can be addressed ahead of time as well.

So logistics and other planning considerations. You know, again, as an organization plans to develop a mobile advocacy program, a mobile advocacy unit, to look at you know, the logistics such as the vehicle. Are advocates going to use their personal vehicles? Are they reliable? And like I said earlier, it's oftentimes safer when the organization provides the vehicle, so fundraising is often necessary. And I believe that VOCA allows for vehicle purchase for an organization.

And this way, staff can leave the organization's vehicle at work because you know, if they're taking the vehicle home, the batterer may follow the advocate home, for example. So it's important, as a safety measure, that an agency vehicle can be utilized and then it can be left at the agency facility.

And sometimes it's good to not have a vehicle have any identifying information until there can actually be, you know, community support for the program because there's still that stigma, you know, someone saying, oh, I saw so-and-so, you know, in that mobile advocacy with the advocate. You know, I wonder what's going on with them next? And, you know, that kind of rumor happens. And it can happen either way, but in order to reduce that possibility, it's important to not have identifying information on the vehicle just to protect the victim and their privacy.

Insurance. To have liability insurance, of course. And again, to look at the confidentiality and privacy issues, for example, record keeping. Where, you know, are logs kept within the vehicle? Can they be easily seen by other people in the vehicle? Where are files stored that a mobile advocate may utilize?

Are they under lock and key, and who has access to those files?

Staff qualifications. Of course, if staff is going to use their own personal vehicle, do they have insurance? Are they trained? Are they fully aware of the challenges? And do they have physical limitations? If you have an advocate who is going to take a victim to, you know, their home to, you know, secure their belongings, that advocate may need to help them maybe carry a child, or they may need to help that victim carry their belongings out of the home.

Also, to look at collaborating, like I already said, with community organizations that you may need to partner with while you're providing services to the victim.

Additional considerations. To look at, still, the attitudes towards victims still isn't the greatest in some communities. Advocates are often seen as home workers, or they are often there encouraging victims to leave abusers. So sometimes abusers, sort of, have a blaming the advocate kind of attitude. So it's important to take these into consideration ahead of time and provide some safety measures for advocates.

And community education helps that as well. So there's still some resistance to change, and it's just something that, you know, has to be taken into account that not everyone is going to be on board with this. There may be some attitudes about it, so just to know that ahead of time, and advocates need to be trained to understand where that's coming from and why. So just expect that kind of skepticism early on.

And I can't emphasize enough the importance of community education. You know, I just think the more education the community has around issues of the different types of crimes that happen, such as domestic violence and sexual assault and, you know, other crimes, I think it's really important in terms of achieving some community readiness for a mobile advocacy program.

It's also important to look at the rural roads, and how sometimes that can be really challenging. Some of the areas are very remote in tribal communities, and that may not feel real safe for an advocate. So it's important that there's good communication with other advocates, or others that are working in the shelter or with a supervisor, you know, that today I'm taking this woman out to such and such community, which is out in the middle of nowhere, just making someone aware that that's where I'll be, and I will be returning by such and such a time.

And again, there's that trade-off of are we really transparent about the services, or do we want to maintain a little bit more anonymity? So that's, again, a conversation that needs to be held with all of

those involved, the planners, the administrators, and even the board of directors of a shelter, staff of a shelter, and stakeholders because there probably will be some pushback from the community. And again, like I said, negative attitudes still exist about advocates. So it's something that just needs to be discussed and be prepared for.

And it is challenging work. Advocacy alone is challenging. It requires a lot of travel, and something that an advocate really needs to be prepared for. You know, as an advocate, I did mobile advocacy. We called it outreach advocacy, and it does require a lot of travel. But I enjoyed it. And you have to be able to enjoy traveling around because again, you know, a lot of our reservations are really large geographically, and sometimes it can feel isolating, as well, to advocates.

And then cell phones need to work well and be charged and be ready to be utilized, especially in emergency situations. And like I said before, advocates must be physically capable, and also to get adequate rest, and maybe even pass some physical qualifications to do the job.

And also documenting the work that they do, keeping the data. And then also being able to debrief with someone. If they have a particular difficult case, if they have a difficult situation, they need to be able to find someone, have a supervisor ready to debrief with.

And I always say to dress down because, you know, that acceptance in the community, especially by victims, you know, it's a little intimidating if you're going to be provided services with someone who is all dressed up, you know, in a suit versus someone who looks like me, I'm going to feel more comfortable in doing this kind of work that needs to be done to get the services done, accomplished.

And also prepare to work with the children. You know, many of the victims that advocates work with have children. So having things available in the vehicle can be really helpful. Of course, the car seats. Maybe having little snacks available, maybe little toys that can keep a child busy while the mother goes in to do something, to retrieve something, or to pick up some paperwork or whatever it might be. So that kind of preparedness is really important.

And all of this is done also with COVID-19. You know, it looks like COVID-19 is going to be with us. So again, perhaps maybe even having, you know, a sign within the vehicle to just remind the advocate, as well as reminding the people that are receiving services about the importance of social distancing, you know, the encouragement to wear masks or gloves for the advocate, to wipe down the car as often as possible. So to have those kinds of materials available is also really important.

And also the advocate should log all of these measures that are taken, so it's kind of a reminder to do

so. And then safety protocols for victims practiced by partnering organizations and departments, so, you know, that those partnering organizations know that these safety measures are being taken on the part of the advocate that's doing the mobile advocacy work.

So the safety measures, you know, I think it's ideal if there were more than one providing these services. I think two is ideal. More is better. But two, I think, is ideal because it's hard work. And again, like I said, it can feel really isolating. It's good to change up meeting locations as well, just in the event that there's stalking that's happening, so that things aren't so predictable as far as where the victim is meeting with the advocate.

So the advocates, again, like any, you know, advocates that work in shelters, they're keeping data on the services that are being provided. They're reporting in about challenges they've experienced, if there's been any threats from the batterer or from the perpetrator or the person who's committed the crime.

Also, to keep people aware of their plans for that day or for the next day. And if there's, you know, first name of a person that they're working with, so they don't have to divulge the full name, for example. That's going to be recorded, but to at least to inform other advocates or the supervisor of the first name of the person they're working with, just so that there's some awareness about that in case someone's looking for that person and has, you know, the clearance to be able to have information divulged to them.

And also where they're going. You know, if something happens and they don't show up to where the advocate is saying they're going to be, then there's cause for some concern, and a follow-up can be done by the supervisor or other advocates.

So, you know, GPS tracking devices on vehicles are always important, especially if cell phone service all of a sudden becomes unavailable. And using the agency phones rather than a personal phone, I think, is also really important so that again, it's a safety measure for the advocate. I think having props available, too, you know, if all of a sudden the batterer, the perpetrator, comes up and says, who are you, maybe the advocate can say, well, I'm a census worker. I'm just taking information about the upcoming census, or whatever it might be so that, you know, that kind of surveillance on the part of the perpetrator can be minimized or even removed.

And then, of course, maintaining agency vehicles is really important so that they're reliable. There's no breakdowns anywhere. Again, that could be a safety measure.

Thank you for your expertise for this portion of the webinar. To our audience, based on our time, we are going to actually skip the discussion at this point and save that for the end, and we'll have a Q&A with both Bonnie and Kelly. So we're going to transition directly into Kelly's portion, Protecting Victim Information. So Kelly, I'm going to go and hand it over to you.

Thank you very much. And I want to say thank you and welcome to everyone out there today. I'm going to be very quickly addressing some legal concepts. I'm going to do it as best I can. And if you have questions, please put those in the chat box, and we can get back to you on those.

As my good friend and colleague mentioned earlier in the presentation, she feels-- and I think a lot of advocates feel this way-- that protecting client information is really at the cornerstone of victim safety. And so this becomes a really critical piece for advocates to address when they're out in the field, when they're performing mobile advocacy kinds of services.

So the first legal concept I want to talk to you about is privacy. And privacy is that expectation that when a victim is sharing this information with you, this personal information, when they're sharing it with another individual, the victim believes-- whether it's a friend, whether it's a colleague-- the victim believes that that information that the victim has just shared is not going any further without the victim's consent.

And there is an expectation-- some of these will overlap-- but there is an expectation, I do believe, that when a victim provides information to an advocate, whether it's a mobile advocate or a boots on the ground, sort of community-based advocate, that that information is going to go no further. Usually, though, even though this is a legal concept, there may be no legal consequences for violating this. This is the expectation of privacy.

Now there may or may not be consequences to this, but usually not legal. It might, for example, be in the advocate's policies and protocols that there's an expectation of privacy, and certain things will happen to their employment if they divulge this information. But usually we're not going to court-- usually-- over a violation of privacy.

The next level gets a little stronger, though. And that's going to be this term, and you probably all have heard about this as well. It is confidentiality. And confidentiality is an ethical duty to keep the information private, the victim's information private. It gets a little stronger here. It's probably level number two.

And if there is a violation of confidentiality and the information is divulged, usually what this means--

since it's an ethical duty, sometimes even created by a professional responsibility-- the person divulging the information may lose their license. They may receive sanctions from the licensing agency. And so we're getting a little bit stronger here.

And so let's go to the next slide and let me take a look at that, but I might want to interject just a little bit. Oh, OK. Here. Let's go through this.

The types of confidential information, they include-- and this is not an all-inclusive list. Sometimes this is referred to as personally identifying information. I think that's how it's referred to in the Violence Against Women Act. But here are some ways that confidentiality may be breached, even if the professional that has this duty of confidentiality didn't mean to divulge the information. So let's just take a look at this list.

If you jot down, and a third party sees, the name and address of the client requesting services, the name and address of client receiving services-- and this is why Bonnie was saying it's so important. You're going to keep that phone log or that mobile advocacy log. You know, if you can do it by number, client number, as opposed to even a first name, that would probably be best practice. But nothing, certainly nothing more than a first name.

And I say that because we all know tribes are all different. They're all very unique. But sometimes tribal communities are so small and so close-knit that even using that first name, and perhaps recognizing that vehicle, might be a breach of confidentiality. So we really have to get creative in Indian country about how to keep victim information, and personally identifying information, for sure, protected.

Other private identifying information, like the client's phone number, the birthday, health issues. If you're doing any sort of an intake on paper, we want to be really careful that your records are protected. And we'll talk more about that when we get to the next level, the highest level, if you will, of protecting client information. But we also want to be careful about location where the victim is, if the victim is staying in a shelter.

And I want to go through a few more, before you switch slide here, some ways that I think, in the mobile advocacy world, that it becomes extremely challenging. If you are, for instance, keeping files or documents in the vehicle. And you just have them on the seat of the vehicle, and you decide you need to get out, you forgot something in your office, you're going to run back in. And there are people walking by, and they see this information, they see the client's name, they see other personally identifying information. That is a breach of confidentiality. That's how serious all this gets.

And so we really, really have to take good care, exceptional care, in protecting this information.

Another way you might not expect, computer screen. If you were using a laptop and you were at the coffee shop, and someone walks by and sees the client's name or phone number or notes from one of the intakes, all of that would be a breach of client confidentiality.

Hopefully you're using an agency phone. Are you texting on the phone? Is it password protected? Or when you get a text or something, the name of the person texting you comes up, where you might have gone to get a second cup of coffee, and this message comes up, and someone walks by and says, oh, I saw where Janice Jones was texting the advocate. It's just mind boggling how many ways there are to inadvertently violate client confidentiality.

And just a couple of more because time is short here. Mail. Is the client's name on the outside of the envelope? Emails. That's another way, on your laptop, if you're getting an incoming email from someone. If you're going to be video conferencing in these days of COVID-19, I want you to take extra care that your platform, whether it's Zoom or whether it's another form-- there's a whole host of different platforms to use when you're doing your meetings with your clients-- making sure that those are secure.

And you can usually check, do a Google search or something, to check about which ones are more secure than others. And also, the National Network to End Domestic Violence has put out a little-- I think you can Google that. It would come up-- some recommendations on platforms that are more secure. Also, there's the suggestion you not videotape when you're using those platforms for meetings.

Let's see. Bonnie had mentioned this earlier, but I'm just going to underscore it very briefly here. If you're having in-person meetings, beware. In small tribal communities, if folks know you're the advocate, and you are sitting at the coffee shop or sitting out front of the tribal complex, and people are walking by and seeing this, that could be a breach of confidentiality.

So sort of just wanting you to expand your mind with respect to ways that maybe you weren't thinking that that was a violation of confidentiality, but it might be, and how careful-- how careful we all must be with client information.

Next slide. OK. If you're going to release information-- and I think you all know this, but I just want to bring it up one more time-- especially if you're, like, an OVW grantee or you're getting federal grants-- the special conditions in your grants probably will tell you what kind of confidentiality precautions

you have to take.

But the one I'm certainly very familiar with is the confidentiality requirements in the Violence Against Women Act. And really, the only way-- other than a court order to you, as the advocate, to disclose the information-- the only other way to do that in compliance with the Violence Against Women Act is to get a release of information from the client.

And the release of information, according to the Violence Against Women Act, has to have certain pieces to it. And I listed those in the bullet form. You probably all know these, but just a little refresher. It's critical to list what information, what specific information the client is giving you permission to disclose. Maybe she doesn't want the whole story told, maybe just a tiny little sliver. And so you have to get real specific there in the description of this information that you're being allowed to disclose.

And whom, or what agency, or what individual at what agency are you allowed to disclose the information to? And you have to follow that to the T. That is your map. And you also have to have this release of information signed by the client. I hope in here somewhere there's a paragraph that says you've explained the dangers of disclosing the information, or the concerns, and the client is giving full, knowing consent to you disclosing this specific information to a specific person. It's signed, has an expiration date.

And also, there needs to be some language in the release itself that indicates the client understands that the client can rescind their permission at any time that they choose. So we're going to get that release of information. Unless we have a court order, we're going to be super careful about inadvertent disclosures of personally identifying information.

But the beefiest, probably the strongest legal protection, of client information is this one. And this one really goes to the heart of advocates doing their work. And a privilege-- as this is a legal term-- it means that the information is protected by law. It is protected by statute.

And there's a variety of different levels of privilege. There's absolute, where the statute says the advocate can never be forced to turn over client information without client consent. Or there's semi-absolute, something like that, where the judge, if there is a request for the advocate's records, the advocate gives them to the judge. The judge sifts through and decides what information can be disclosed and what cannot.

But you will find in your tribal codes whether or not your advocate records are protected by a privilege. There should be a statute addressing that. And for those of you mobile advocates who are

traversing the countryside-- you're in different tribal jurisdictions, you're in the state jurisdiction-- you will also have to look up the state's statutes with respect to protecting your records while you're outside of Indian country, and determine whether or not you meet those requirements. Some require, like Bonnie said, the 40 hours of advocacy training. You're going to have to determine whether your records are protected in the state jurisdiction and just keep that in mind with respect to what information you're taking with you outside of Indian country.

So I just wanted you to realize the three levels of protecting victim information, with privilege being the strongest. And some tribes will even have a code that says the victim cannot be forced to testify against their will, only in certain kinds of cases.

So again, looking at those statutes in the jurisdiction where you are providing services is critically important. And I think we have only one minute. I basically have already said this to you. So we want to be sure, as advocates, that you're aware of this, that you're looking at those tribal statutes to see if yours is protected, and if not, you're adjusting accordingly.

Next slide.

And of course, Bonnie already said this earlier, probably much more articulate than I, that protecting victim information is the cornerstone of keeping victims safe.

All right. Thank you, Kelly and Bonnie, for the excellent presentation today and sharing all your knowledge and insight with us. So we are right at just the end of our time, basically. But we do have time for one question. And the question here is, is a GPS monitoring system for a car something we could write into our grants? I think that might have been directed towards Bonnie, but either one of you can answer, or both of you.

I believe it is.

OK. Anything to add to that, Kelly?

I would just agree with Bonnie, and then just add a little bit of information that if you reach out and send an email to your grant manager, you want to be sure that you go through the right protocols in order to get that approved. And they may want you to do a GAN or something like that. So just check in with your grant manager.

I have one more question here that asks, what about when we accompany clients to protective order hearings, custody hearings? Are those breaches of confidentiality?

This is Kelly, and I'm going to say no. They're being called into court. If they're the petitioner, they're asking the court for some sort of protection order relief. I think that would be like the same thing as a lawyer. And we're usually protected by a privilege, a statutory privilege. We have very strong confidentiality, protecting client information sorts of rules we follow. And attending court with your client is not a breach.

I'm thinking more of the breach as something that's sharing with people that are outside the court system, that they're being called and mandated to appear in. And so no, that's not going to be. I think that's good.

But seeing your client, let's say in Walmart, and saying, oh, hi, and then people are like, how do they know each other? That could be an inadvertent breach there. So you're OK in court.

OK. All right. Well, again, thank you, Bonnie and Kelly and everybody for their participation. This concludes the question and answer portion of our webinar. Again, thank you all for joining us today, and have a wonderful day.