

Law Enforcement-Based Victim Specialist Program

343.1 PURPOSE AND SCOPE

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How law enforcement first responds to victims is critical in determining how victims cope, initially with the immediate crisis, and later, with their recovery from the crime. This response often influences the victim's participation in the investigation and prosecution of the crime as well as the victim's likelihood of reporting any future crimes. Recognizing this critical role, law enforcement leaders are integrating victimization issues into their training for line officers and incorporating a strong victim assistance component into their agencies with the use of a specially trained Law Enforcement Victim Specialist. The purpose of this policy is to emphasize that an effective response to the needs of crime victims is an integral part of the law enforcement mission. This essential function, performed by both sworn and civilian personnel, should address victims' needs by establishing a continuum of support and resources as victims' progress through the various phases of the criminal justice process.

343.2 POLICY

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It is the policy of the Auburn Police Department to recognize and address the needs and rights of crime victims during each contact; support, provide access to resources, and assist victims as they continue to interact with the criminal justice system; and act as a liaison to appropriate victim assistance and service agencies beginning with our Victim Specialist. See also related policy, Victim and Witness Assistance.

343.3 RESPONSIBILITIES

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Auburn Police Department

- (a) Detective Bureau Supervisor
 1. Serve as the City of Auburn liaison to CCS
 2. Provide office and programmatic support
 3. Be the point of contact for the Victim Specialist
- (b) City Director of Capital Projects & Grants
 1. Executing the OVC grant agreement in GMS
 2. Preparing and executing sub recipient agreements
 3. Submitting FFR and Progress Reports in GMS
- (c) City Comptroller
 1. Review of Federal Financial Reports

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2. Preparation and Submittal of Grant Reimbursements
3. Creation and monitoring of grant expense / revenue accounts

Cayuga Counseling Services, Inc.

- (a) CCS Executive Director
 1. Provide agency oversight
 2. Provide direct supervision to the Director of Victim Services
- (b) CCS Director of Victim Services
 1. Responsible for oversight and quality assurance in all aspects program operations;
 2. Serve as the point of contact;
 3. Develop Policies and Procedures in conjunction with Auburn Police Department;
 4. Maintain Program protocols to reflect current needs;
 5. Ensure the protocols in this proposal are carried out;
 6. Oversee data collection;
 7. Provide direction related to the provision of services;
 8. Oversee the funding responsibilities, files, records, and statistical information;
 9. Compile and submit all required statistical, funding and over site reports in a timely manner;
 10. Coordinate staff attendance at all required trainings;
 11. Provide direct supervision to the Victim Specialist;
 12. Pursue funding to expand, improve and sustain program operations and initiatives.
- (c) CCS Victim Specialist
 1. Respond to emotional, psychological and physical needs of crime victims;
 2. Review daily call for service logs with the APD Spillman Records Management System in order to identify victims who could be benefit from a follow-up needs assessment;
 3. Review domestic incident reports to identify cases that should be referred to the High-Risk Team using established criteria;
 4. Provide direct services to crime victims including referrals to other service providers in the community;
 5. Respond to the scene of crime when asked by Supervising officers to do so;
 6. Provide outreach and educational programming to identify crime victims and insure they are aware of the services available and their rights;

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7. Present to APD personnel at lineup to insure they know about the services available through the Victim Specialist Program;
8. Participate in ride-along with APD personnel;
9. Complete client contact logs and maintain client records;
10. Develop brochures and other printed materials to be distributed to crime victims;
11. Compile program statistics.

343.4 PROGRAM DESCRIPTION

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The Law Enforcement Victim Specialist program will develop and execute a coordinated response and expansion of services for crime victims in Auburn, N.Y. The program will fund 1 full-time Victim Specialist who will be located at the Auburn Police Department in the City of Auburn, N.Y.

The creation of a victim services position that is located within the Auburn Police Department will allow the Victim Specialist to quickly respond to victims' needs, meet officers at a crime scene, and provide victims with immediate crisis intervention.

343.4.1 TARGET POPULATION

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This program will target victims of all crimes in the City of Auburn that are handled through the Auburn Police Department. The program does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, gender identity or expression, sexual orientation, or other status protected by law.

Crimes that would be eligible for a referral to the Victim Specialist include, but are not limited to, the following:

- Adult physical assault (includes aggravated and simple assault)
- Adult sexual assault
- Adults sexually abused/assaulted as children
- Arson
- Bullying (verbal, cyber, or physical)
- Burglary
- Child physical abuse or neglect
- Child pornography
- Child sexual abuse/assault
- Cyber crimes
- Domestic and/or family violence

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- DUI/DWI incidents
- Elder abuse or neglect
- Gang violence
- Hate crime: Racial/religious/gender/ sexual orientation/other
- Human trafficking: Labor
- Human trafficking: Sex
- Identity theft/fraud/financial crime
- Kidnapping (noncustodial)
- Kidnapping (custodial)
- Mass violence (domestic/international)
- Other vehicular victimization (e.g., hit and run)
- Robbery
- Stalking/harassment
- Survivors of homicide victims
- Teen dating victimization
- Terrorism (domestic/international)

Note: The primary goal of the program is to address rights and needs of victims of attempted or actual criminal acts however, when feasible, the Advocate may reach out when needed to help with crisis events that are not criminal and no offender is involved. These include but are not limited to suicides, car accidents, etc.

343.4.2 REFERRAL PROCESS

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Referrals can be made in the following ways:

Phone: You can call the Victim Specialist directly at 315-283-0600.

Email: APD personnel can email the Victim Specialist at cbraham@auburnny.gov. When emailing please include the following information:

- APD Case #
- Name of Victim
- Brief explanation / reason for referral and what victim needs assistance with

Mailbox: Leave a copy of your report in the detective bin with a request, indicating you are requesting a follow up from the Victim Specialist.

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Detective Bureau meetings: The Victim Specialist will attend weekly Detective Bureau meetings in order to assist with identifying victims who would benefit from follow-up services.

343.4.3 PROGRAM RESPONSE TO VICTIMS

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Referrals: Once a referral is made to the Victim Specialist, contact will be made as soon as possible but no later than the next day the Specialist is working.

On scene response: It is up to the supervising officers to determine if having the Victim Specialist respond to the scene would be helpful to the officers and the victim involved. If it is determined that a victim would benefit from an on-scene response by the Victim Specialist, a call can be made to the Victim Specialist's cell phone at 315-283-0600 to request a response. If the Specialist is available, she will respond to the scene and begin providing advocacy/supportive services to the victim. If the Specialist is unable to respond to the scene, a referral should be made and the Specialist will reach out to the victim the following business day.

The Victim Advocate can act as a liaison between Auburn Police Department personnel and the already established Domestic Violence Intervention Program and the SAVAR Program when someone has been a victim of domestic violence and/or sexual assault.

If you cannot reach the Victim Specialist when working with a victim of sexual assault and/or domestic violence, the following numbers should be utilized:

In cases of domestic violence, the Domestic Violence Intervention Program hotline, 315- 255-6221 should be utilized.

In cases of sexual assault, the SAVAR hotline, 315-252-2112 should be utilized.

343.4.4 SERVICES AVAILABLE

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The Victim Specialist's role will be to respond to the emotional, physical and/or psychological needs of crime victims and to connect victims to supportive services that assist them with stabilization following their victimization.

The services can include, but are not limited to:

- (a) On-scene crisis intervention services
- (b) Advocacy services
- (c) Crime victim rights information
- (d) Emergency transportation
- (e) Short-term child care services
- (f) Referrals for temporary housing/shelter and security measures
- (g) Assistance in participating in criminal justice proceedings
- (h) Referrals and accompaniment to forensic medical examinations

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- (i) Assistance with crime victim compensation applications and eligibility
- (j) Other service referrals for crime victims identified by Victim Specialist and/or Law Enforcement personnel.

343.5 CONFIDENTIALITY AND INFORMATION SHARING

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343.5.1 CONFIDENTIALITY

Agency Content

Confidentiality and safety are a primary concern of the Victim Specialist Program and we are committed to maintaining the confidentiality of the victims served through the program. Written consent will be required for the Victim Specialist to share any information about a client. The Victim Specialist may only disclose confidential information without written consent when there is a clear and imminent threat to an individual's safety and wellbeing. This includes sharing information with police and medical professionals and Child Protective Services, only in the case in which sharing information would assist in a life-threatening situation or in response to a valid court order or other statutory requirement.

The confidentiality policy is based on the following guiding principles:

- (a) The Victim Specialist does not require clients to provide a release of information in order to receive in house services.
- (b) Clients will be notified of what information a program has about them and how their information will be used.
- (c) Releases of information are client-centered.
- (d) All releases of information are written, informed, revocable and reasonably time-limited.
- (e) A release of information is required if a staff member is asked by the client to release specific pieces of their individual personally identifying information outside of the Victim Specialist own agency or program.
- (f) A release of information may not be required if there is a court mandate or statutory obligation to report, such as suspected child abuse or neglect.
- (g) Clients will be notified when a release is made under a court mandate or statutory obligation.
- (h) Whenever releasing information about a client, the program will keep in mind the "minimum necessary concept," meaning that even with a release or mandatory report, staff will share only the information necessary to accomplish the client's purpose or to meet the requirements of the reporting obligation, and only have that release open for the amount of time necessary to meet the client's needs.

343.5.2 RELEASE OF INFORMATION

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The Victim Specialist shall not disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied, regardless of whether such information has been encoded, encrypted, hashed, or otherwise protected. The Victim Specialist may not disclose, reveal, or release any individual client information without the informed, written, reasonably time-limited consent of the person about whom information is sought.

In no circumstances may a crime victim be required to provide a consent to release personally identifying information as a condition of eligibility for program services.

Additionally, in no circumstances may any personally identifying information be shared in order to comply with reporting, evaluation, or data collection requirements of any program.

Consent for release may not be given by the abuser of a minor, the abuser of the other parent of a minor, or by an incapacitated person. If a minor or a person with a legally appointed guardian is permitted by law to receive services without their parent's or guardian's consent, the minor or person with a guardian may consent to release of information without additional consent from the parent or guardian. See 28 CFR 94.115.

The Victim Specialist is required to be trained on confidentiality before providing direct services to clients. Each staff member of Cayuga Counseling Services, Inc. is required to sign a confidentiality statement. Each staff member and volunteer is advised at orientation that breaching a client's confidentiality is grounds for immediate termination.

Neither clients nor staff will discuss program specifics, including client's information, in public spaces. This includes public areas of the program's facilities.

343.5.3 REPORTING BREACHES OF PERSONALLY IDENTIFIABLE INFORMATION

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All actual or imminent breaches of Personally Identifiable Information will be reported, via email, to the OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach. Additionally, the individual whose information has been breached will be notified via first-class mail or email if they have agreed to receive such notices electronically and follow the guidelines of 45 CFR §§ 164.400-414

343.5.4 EXCEPTIONS TO THE CONFIDENTIALITY REQUIREMENTS

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If the Victim Specialist has to release personal information without consent (ie: in response to a valid court order, report suspected abuse or neglect or another statutory requirement), the Victim Specialist will provide notice to victims affected by the disclosure of the information, and take reasonable steps necessary to protect the privacy and safety of the persons affected by the release of the information.

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Nothing in this confidentiality policy prohibits compliance with legally mandated reporting of abuse or neglect, which is explained to all clients seeking services through the program.

343.5.5 PROGRAM'S RESPONSE TO SUBPOENAS OR RECORDS REQUESTS

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If the Victim Specialist is served with a subpoena requesting a client's file information, Program staff will discuss the subpoena with the client. If the client decides that they do not want their file information shared with the court, the Victim Specialist will work with Agency Attorneys to file a Motion to Quash. The Motion to Quash will contain a request to the court asking to modify or terminate the subpoena based on certain objections.

343.6 OPERATIONS

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343.6.1 HOURS OF OPERATIONS

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The Victim Specialist will be in the office at the Auburn Police Department on Mondays, Wednesday and Fridays from 8 am-4:30 pm and Tuesday and Thursdays from 12:30 pm-9:00 pm.

This schedule is subject to change based on the needs of the program.

At a minimum, quarterly, the Victim Specialist will be present at APD lineup briefings for all shifts to explain the services available to victims through this program.

343.6.2 DOCUMENTATION

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The Victim Specialist will be responsible for documenting all services provided within 7 days of providing the service in case notes. The Victim Specialist will also be responsible for gathering demographic data and all required data on the Quarterly PMT reports as well as the semi-annual reports.

All documentation will be maintained separately from the APD case files and the services provided by the Victim Specialist will not become part of the case record. Files will be kept in a locked filing cabinet in the Victim Specialist's office at Auburn Police Department.

343.6.3 REPORTING

Agency Content

Cayuga Counseling Services, Inc. will be responsible for collecting data and submitting required reports via the tables below. Once the reports are submitted, a copy will be sent to Auburn Police Department for their reference. A.pdf copy will be sent to Christina Selvek, City of Auburn Director of Grants and Capital Projects, by the 20th of the month following the end of a quarter so it can be uploaded into GMS.

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Quarterly

Performance Measurement in the Performance Measurement Tool (PMT) and Financial Status Reports in Grants Management System (GMS)*

Reporting Period Due by (no later than 30 days after the end of the reporting period):

Reporting Period	Submission Period	Content	Deadline
January 1 - March 31	April 1-30	Performance Measures	April 30
April 1 - June 30	July 1-30	Performance Measures and Narrative Responses	July 30
July 1 - September 30	October 1-30	Performance Measures	October 30
October 1 - December 31	January 1-30	Performance Measures and Narrative Responses	January 30

Semiannual

<u>Reporting Period</u>	<u>Submission Period</u>	<u>Semiannual PMT Report</u>	<u>Deadline</u>
January 1 - June 30	July 1-30	Performance Measures and Narrative Responses	July 30
July 1 - December 31	January 1-30	Performance Measures and Narrative Responses	January 30

343.6.4 FISCAL

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Cayuga Counseling Services, Inc. will be responsible for collecting financial data and submitting a monthly voucher to the City of Auburn on the 15th day of each month. In addition to a voucher, a backup report will be submitted detailing all expenses being claimed during that period.

The City of Auburn will be responsible for submitting the required quarterly fiscal reports via the Federal Grants Management System.

343.6.5 VEHICLE USE

Agency Content

The Victim Specialist will be required to utilize her own vehicle for work-related business including transporting clients per Cayuga Counseling Services, Inc.'s policy, Section 2.25 in the Employee Handbook.

The Victim Specialist will be required to record her mileage and submit for reimbursement through Cayuga Counseling Services, Inc. at the end of each pay period.