

Consolidated Victim Service Program Standards



Initial Standards Adopted by the Commission in December 2007
See Preamble and List of Standards Page for latest VSAC Approved Date

Updated as of 9/1/2026

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This Code of Ethics is intended to serve as a guide. This code represents standards of ethical behavior for all Victim Service Programs staff in the relationships they have with those they serve, with colleagues, with the agency, with other individuals, and with the community and society as a whole.

This Code is based on fundamental values and principles that are the common ground victim service providers share. These values include commitment to services, the dignity and worth of the person, integrity, competence, social justice, confidentiality, self-determination, and the importance of human relationships.

This code does not represent a set of rules that will prescribe all the behaviors of people in the complexities of their lives. Rather, it offers general principles for the assessment and appraisal of situations that present ethical dilemmas and guides the conduct of VSP staff.

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Changes

VSAC Adoption Date	Standard	Change Overview	Date policy will be reviewed during monitorings
N/A – Department of Justice directive	Relocation	The Victim Services’ Program shall request prior approval from OVS for victims in need of relocation to another country. Policies and procedures must address relocation abroad for OVS to consider the request.	5/15/2026
5/12/2026	Forensic Interviews of Children	- The Standard applies to non-accredited child advocacy centers. (Accreditation is achieved through the National Children’s Alliance.) - Reiterates requirements for scheduling and conducting the forensic interview. - Reiterates initial and ongoing training requirements of the forensic interviewer. - Reiterates responsibilities of the multi-disciplinary team in relation to the forensic process.	7/1/2026
5/12/2026	Restorative Justice - Juvenile	- The Standard addresses victim-centered, trauma informed restorative practices for the youth causing the harm ages 10-17. - Participation in any restorative justice practice or program must be voluntary recognizing that the process reasonably has therapeutic value or other positive outcomes for all parties.	7/1/2026
5/12/2026	Restorative Justice - Adult	- The Standard addresses victim-centered, trauma informed restorative practices for the individual causing the harm age 18 and up. - Participation in any restorative justice practice or program must be voluntary recognizing that the process reasonably has therapeutic value or other positive outcomes for all parties.	7/1/2026

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2/10/2026	Cultural Responsiveness	• Implementation of an organizational assessment tool as well as distribution of a post-service client survey (outside of the VS3 survey) are removed from program requirements and added to Striving for Excellence. • Reiterates the requirement for all funded staff and volunteers to complete one (1) hour of professional cultural responsiveness training annually. • Reiterates that cultural responsiveness is a core responsibility at all levels of the organization.	4/1/2026
11/13/2025	Civil Legal Services (Revised)	• Reiterates professional code of conduct requirements for attorneys and legal staff working within VOCA funded projects. • This standard supports victims in the pursuit of legal protections, relief, and other relevant court actions in response to the victimization.	1/1/2026
11/13/2025	Emergency Housing & Supervision Services for Elderly or Disabled Adults (Revised)	• The standard is retitled to include supervision services for those in need of emergent housing and professional care services. • Reiterates requirements of up to 45-days of nursing care, home care, adult foster care, or group home placement resulting from neglect, abuse, exploitation, and/or abandonment.	1/1/2026
11/13/2025	Forensic Interviews for Vulnerable Adults Standard (Revised)	• Discusses requirements of trained forensic interviewers to obtain unbiased, fact-finding, and legally sound information from vulnerable adults. • Reiterates the multi-disciplinary team's role in reviewing findings and making recommendations for potential prosecution and protective and supportive care of the victim and non-offending caregivers.	1/1/2026
11/13/2025	In-Home Care for Adults & Children (Revised)	• Reiterates requirements for up to 45-days of in-home care and supervision services where the perpetrator has been removed from the home and where the victim's need for professional support services exceeds financial resources.	1/1/2026

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11/13/2025	Language Accessibility (Revised)	- Provides for the minimum requirements consistent with Title VI of the Civil Rights Act of 1964 for crime victims with Limited English Proficiency (LEP). - Reiterates requirements to ensure victims receive no cost, timely, and meaningful language services to access the full scope of services provided by the VSP.	1/1/2026
8/12/2025	Accompaniment (Revised)	- Requires that program staff be able to explain the purpose of the court proceeding or visit (i.e., hospital) and clarify the victim's role in that activity. - Reiterates that cases be prioritized, and additional resources be utilized where accompaniment requests exceed capacity	10/1/2025
8/12/2025	Prior Comment (Revised)	Reiterates that the VSP will seek to work collaboratively with the District Attorney's Office and Juvenile Probation to receive timely information and to advocate for the victim's right to give prior comment	10/1/2025
8/12/2025	Property Return (Revised)	- Requires that the VSP advocate for the expedient return of the victim's property. - Digital evidence that can be downloaded and stored for trial may allow electronic devices to be returned to the victim expeditiously (i.e., cell phone)	10/1/2025
8/12/2025	Relocation (Revised)	- Reiterates that VOCA funds are the payor of last resort. - Where an immediate need for relocation services is expressed by the victim, an application, intake, and risk assessment process shall be completed by the VSP. - Reiterates tracking, documentation, and monitoring responsibilities with relocation requests and disbursements.	10/1/2025
8/12/2025	Restitution (Revised)	- Reiterates that VSPs responsibility to provide information on restitution services and to advocate for payment in full to the victim. - The VSP shall provide information to the victim on options for pursuing civil remedies against the offender(s). - The VSP shall inform the victim of reimbursement responsibilities to the VCAP where restitution has been paid and where a claim was paid directly to the victim.	10/1/2025

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8/12/2025	Victim Impact Statements (Revised)	• The VSP shall provide written guidance to inform and assist the victim in completing an impact statement. • The VSP, upon request, shall assist the victim in the preparation of an oral or written impact statement.	10/1/2025
8/12/2025	Transitional Housing (Revised)	• Transitional housing may be provided in scattered site, clustered site, or communal living models. • The VSP shall have a written policy for transitional housing detailing eligibility, scope, and length of services to include early termination, rental agreements, security and liability (safety plan) considerations, tenant rights and responsibilities, and emergency protocols. • VSPs shall adhere to PCCD's policies for reporting and reconciling any program income generated from transitional housing. VOCA Awards may be reduced.	10/1/2025
2/4/2025	Court Security (Revised)	• Reiterates that the VSP in coordination with court personnel assists the victim with safe movement to, from, and within the court facility. • Reiterates that the VSP shall work with court personnel to provide a safe waiting area for the victim.	4/1/2025
2/4/2025	Criminal or Juvenile Case Status (Revised)	• Requires that the VSP provide accurate and timely information to the victim about the status of the case. • Reiterates that the VSP shall have a procedure to identify conflicts among the parties.	4/1/2025
2/4/2025	Therapy (Revised)	• Reiterates that the VSP have a procedure to regularly assess whether a therapy referral for the victim is appropriate. • Requires documentation of training for clinicians providing alternative therapy/modalities.	4/1/2025
2/4/2025	Emergency Shelter (Revised)	• Reiterates that shelter facilities be compliant with all laws, health and safety codes, and inspections. • VSP staff protocols and practices shall support safe shelter operations.	4/1/2025

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2/4/2025	Emergency Financial Assistance (Revised)	• Reiterates that VOCA funds are the payor of last resort. • State issued identification cards and/or driver's license replacement cards are now eligible under EFA. • Reiterates tracking, documentation, and monitoring responsibilities with EFA requests and disbursements.	4/1/2025
2/4/2025	Confidential Communications (Revised)	• Reiterates that VSP staff will rigorously protect all victim information except where disclosure is required by law or where an informed and valid consent is given by the victim.	4/1/2025
2/4/2025	Use of Technology in the Provision of Services to Victims & Client Data Management Systems (Revised)	• The standard is retitled to include client data management systems. • Requires VSPs to have written policies and procedures regarding staff training, access, use, and management of databases and electronic systems used for client records and data.	4/1/2025
2/4/2025	Court Events (Revised)	• Incorporates newer legislation and the interface with court events and victim participation (i.e., Act 71 of 2022, Act 77 of 2022, and Act 44 of 2023).	4/1/2025
2/4/2025	Victim Witness Intimidation (Revised)	• Reiterates the VSP's responsibilities in intimidation incidents to include notification, safety planning (which may result in relocation), and feedback on actions taken.	4/1/2025
2/4/2025	Release, Transfer, and Escape Notification (Revised)	• Highlights technological advances for storage of offender-victim information and in making victim notifications through PA SAVIN, the OVA Registration Portal, and other relevant databases/systems.	4/1/2025
8/2/2024	Counseling/Supportive Counseling (Revised)	• Emphasizes a shared and continual, collaborative approach with the victim in discussing and considering the impact of victimization and its aftermath. • The victim's file shall include documentation of services provided to include counseling services.	10/1/2024
8/2/2024	Crisis Intervention (Revised)	• Expands examples of Crisis Intervention Services that may be rendered. • Written crisis response protocols shall address the immediate safety, emotional, physical, and financial needs of the victim.	10/1/2024

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8/2/2024	Training & Ongoing Professional Development (Revised)	• Renames the standard to “Training & Ongoing Professional Development” recognizing ongoing development for VSP staff to stay current with their skills. • Updates first year training requirements. • Reiterates training required in subsequent years for direct service staff and volunteers. • Reiterates the requirement for one (1) hour of Cultural Responsiveness training as a part of the ten (10) hour sum. (See also Cultural Responsiveness Standard)	10/1/2024
8/2/2024	Victims Compensation Assistance Program (Revised)	• Requires that VCAP materials and claim forms are relevant to the victim’s primary language needs. • Requires that VSPs inform victims of eligibility requirements and filing deadlines. • VSPs shall cooperate with the VCAP and the Attorney General in any fraudulent claim investigation.	10/1/2024
8/2/2024	Witness Management (Revised)	• Reiterates that the VSP shall work cooperatively with relevant court departments to obtain hearing/trial lists, to prepare victims and witnesses for court proceedings, and to advocate for their needs to attend hearings. • Reiterates that OVS funding prohibits the preparation of and service of subpoenas, other than to the victim.	10/1/2024
5/7/2024	Use of Technology in the Provision of Services to Victims (Revised)	• The VSP shall periodically assess client satisfaction with receiving services remotely. This assessment is done in addition to any client satisfaction survey(s)/outcomes tool required by the funder(s).	7/1/2024
2/6/2024	Individual Advocacy (Revised)	• HIV section and Practice Tips are enhanced. • Advocacy in relation to adult dependent care has been added.	7/1/2024
2/6/2024	Crime Victim Grievances (Revised)	• The definition of a grievance has been added. • A timeline to reasonably resolve the grievance is set at a maximum of sixty (60) working days from the date of notification. • Recordkeeping obligations (including written complaint, if available, investigative notes/written statements provided and resolution) are reiterated.	7/1/2024

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2/6/2024	Intake (<i>formerly Assessment</i>) (Revised)	• The name of the Standard is changed to “Intake” to be reflective of the information gathering process. • Legal Standing per Act 77 of 2022 and the VSP’s crime victim grievance process shall be explained during intake. • Striving for Excellence section recognizes technological systems used to gather and store victim sensitive information and collaborative partners where an inter-agency agreement or MOU exists to assist with the information gathering process.	7/1/2024
11/14/2023	Collaboration With Community Agencies (Revised)	• Reiterates the importance of collaboration within the service area to effectively manage the common issues victims face and to enhance service provision.	1/1/2024
11/14/2023	Court Orientation (Revised)	• Expands court orientation responsibilities to include victims, witnesses, family members, and significant others.	1/1/2024
11/14/2023	Systems Advocacy (Revised)	• Expands the many systems/networks crime victims interact with where VSPs shall be a meaningful part of these systems to improve responses. This includes active participation with marginalized groups and communities.	1/1/2024
11/14/2023	Victims’ Rights Notification (Revised)	• Reiterates timely and accurate rights and notifications to victims. • Emphasizes ongoing communications with relevant parties for information and support.	1/1/2024
8/8/2023	Outreach (Revised)	• Establishes requirement of VSP collaboration in the service area to determine which agency will make initial contact. • Makes a recommendation for outreach within 72 hours after receiving case and contact information.	1/1/2024
5/9/2023	Use of Technology in the Provision of Services to Victims (Revised)	• Expands safeguards for victims when utilizing technology for VSP services. • Recognizes the on-line and social media presence many VSPs have; emphasizes diligence with on-line and social media account monitoring.	1/1/2024
5/9/2023	Program Administration (Revised)	• Personnel Management Section: adds federal condition of Determination of Suitability to Interact with Participating Minors.	5/9/2023

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2/7/2023	Media (Revised)	• Updates requirements with supporting and educating victims in their decisions to interact with the media; requires consent for VSP staff to act on behalf of victims in media relations. • Updates requirements for VSP staff in developing and enhancing relationships with the media. • Requires a chain of command within the VSP when interacting with the media.	1/1/2024
5/10/2022	Ethics, Section 6 (Revised)	• Updates requirements of program evaluation and research participation.	7/1/2022
2/8/2022	Ethics, Sections 1-5 (Revised)	• In instances where legal documentation has not given decision-making power to a third party, staff shall take reasonable steps to enhance such clients' ability to give informed consent and implement a Shared Decision-Making approach. • Prohibits sexual and romantic relationships between VSP staff and current clients; warns against sexual and romantic relationships with VSP staff and former clients. • Establishes requirements for annual signing of VSP sexual harassment policy and of sexual harassment training every two (2) years.	7/1/2022
2/8/2022	Use of Technology in the Provision of Services to Victims (Revised)	• Prohibits recording and transcription of communications with clients as required by law or statute. • Absent a law or statute, requires VSPs to have a policy prohibiting recording or transcription of communications unless expressed permission is given.	7/1/2022
11/9/2021	Program Administration (Revised)	• Expands Accessibility requirements to comply with federal and state law. • Updates fiscal controls, recordkeeping, and auditing. • Updates Board Governance specifically with by-laws, board composition, and VSP dissolution. • Updates recordkeeping, supervision with, and evaluation of funded personnel. • Requires plans to assess service provision, to build accountability, and to conduct regular needs assessments in the service area.	7/1/2022

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11/10/2020	Language Accessibility (NEW)	- Establishes requirement of Service Provider Interpreter list (SPI). - Requires that victims have timely and necessary language services at no cost.	1/1/2021
11/10/2020	Cultural Responsiveness (NEW)	- Establishes requirements of cultural responsiveness at all levels of the VSP. - Establishes requirement of 1-hour of culturally responsive training annually.	1/1/2021
8/11/2020	Restorative Justice Standard - Juvenile (NEW)	- Emphasizes BARJ practices with common restorative justice efforts (i.e., apology letters), conferencing, and programming involving victims where offenders are youth (10-17 YOA). - Requires that VSPs ensure Restorative Justice providers are vetted, trained, and have had background checks conducted	1/1/2021
8/11/2020	Use of Technology in the Provision of Services to Victims (NEW)	- Recognizes on-line and remote service provision used by VSPs. - Dictates management and safeguarding of client data and records. - Educates and supports victims in their use of electronic and remote systems for services.	1/1/2021
8/11/2020	Training (Revised)	- Clarifies oversight entity/ies and training requirements for VSPs serving all crime victims. - Clarifies required attendance for the Foundational Academy.	1/1/2021
3/9/2020	Emergency Financial Assistance and Transitional Housing	Removed reference to Transportation Standard as it has been decided there will not be a standard developed for this.	6/1/2020
2/28/2020	Civil Legal Services	Updated with the correct version that was approved 10/31/2017	6/1/2020
2/11/2020	Restorative Justice - Adult (NEW)	- Emphasizes a victim centered approach with common restorative justice efforts (i.e., apology letters), dialogue and programming involving victims where offenders are adults (18 YOA+). - Requires that VSPs ensure Restorative Justice providers are vetted, trained, and have had background checks conducted.	1/1/2021
11/12/2019	Therapy	Program Requirements 2) b) iii) minor revision	1/1/2020

Ethical Standards for Victim Services Program Staff

1. VICTIM SERVICES PROGRAM STAFF ETHICAL RESPONSIBILITY TO CLIENTS

1.01 Commitment to Clients

Victim Services Program (VSP) staff primary responsibility is to promote the well-being of clients.

1.02 Self-Determination

Victim services program staff shall respect and promote the right of clients to self-determination and assist clients to identify and pursue their goals.

1.03 Information about Services

Victim services program staff shall inform clients, in a manner understandable to the clients, of the purpose of the services, risks related to the services, reasonable alternatives, clients' right to refuse or withdraw from services, the time frame covered by the services and the procedure for grievance. In instances where clients lack the capacity to provide informed consent, as evidenced by documentation of an applicable conservatorship, guardianship, or power of attorney relationship, victim services program staff shall protect clients' interests by seeking permission from the appropriate third party, informing clients in a manner understandable to the clients. In such instances victim services program staff should make efforts to ensure that the third-party acts in a manner consistent with the clients' wishes and interests. In instances where legal documentation has not given decision-making power to a third party, victim services program staff shall take reasonable steps to enhance such clients' ability to give informed consent and implement a Shared Decision-Making approach.

1.04 Competence

Victim services program staff shall only provide services and represent themselves as competent within the boundaries of their education, training certification and program standards.

1.05 Cultural Competence and Social Diversity

Victim services program staff shall adhere to the Program Requirements set forth in the Cultural Responsiveness Standard within PCCD's Consolidated Victim Service Program Standards.

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1.06 Conflicts of Interest

- Victim services program staff shall be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment.
- When victim services program staff provide services to two or more people who have a relationship with each other, victim services program staff shall clarify with all parties the victim services program staff' professional obligations to each individual who is receiving services.
- Victim services program staff shall not take advantage of any professional relationship or exploit clients and former clients to further their personal, religious, political, or business interests.
- Victim services program staff shall not engage in dual or multiple relationships with clients or former clients with whom there may be a conflict of interest which might result in exploitation or potential harm to the client.
- In instances where dual or multiple relationships exist, victim services program staff are responsible for discussing with the supervisor and then setting clear, appropriate, and culturally sensitive boundaries.
- Individual victim services program staff shall neither solicit nor accept a private fee or other remuneration for providing services to clients.
- In instances where a victim services program staff/volunteers encounter an event that would require the services of the victim services program, a dual relationship would then exist. The victim services program shall make appropriate determinations about providing services or referring to another VSP.

1.07 Privacy and Confidentiality

- Victim services program staff shall respect clients' rights to privacy.
- Victim services program staff may disclose confidential information only with valid, informed written consent, where applicable by law, from a client or a party legally authorized to consent on behalf of a client. See Program Administration and Confidentiality Standards for exceptions.
- Victim services program staff/volunteers shall not discuss or disclose information obtained in the course of professional service, except when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person or when laws require disclosure with or without a client's consent.
- Victim Witness Coordinators/volunteers who work on staff of prosecutor offices or probation offices, or other criminal or juvenile justice system offices, shall protect the confidentiality of all information obtained in the course of professional service, except when disclosure is necessary by policy of the office and/or to prevent serious and imminent harm to a client or other identifiable person or when laws require disclosure without a client's consent.

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- Victim services program staff shall inform clients, to the extent possible, about the disclosure of confidential information and the potential consequences.

1.08 Sexual or Romantic Relationships

- VSP staff/volunteers shall not engage in a romantic relationship or sexual contact of any kind with current clients.
- VSP staff/volunteers shall not engage in a romantic relationship or sexual contact of any kind with former clients where there is a risk of exploitation or potential harm to the former client.
- VSP staff/volunteers shall not provide counseling or victim advocacy services to individuals with whom they have had a prior romantic relationship or sexual contact of any kind.
- Any supervisor or director who has had a romantic relationship with a client may not directly supervise the person providing service to said client and shall recuse oneself from any conversation of care plan of the client.
- Each program has the responsibility to define appropriate interactions and/or boundaries between volunteers and known clients.

1.09 Physical Contact

- Victim services program staff/volunteers shall not engage in physical contact without expressed consent so as not to cause psychological or physical harm to the client as a result of the contact.
- Victim services program staff/volunteers who engage in physical contact with clients are responsible for discussing with the supervisor and then setting clear, appropriate and culturally sensitive boundaries that govern such physical contact.

1.10 Harassment

- Victim services program staff/volunteers shall not sexually harass clients.
- Victim services program staff/volunteers shall not harass, oppress, or engage in any other form of violence towards clients, particularly in regard to race, ethnicity, national origin, color, class, gender, gender identity, sexual orientation, age, marital status, political belief, religion and mental or physical disability.

1.11 Continuity of Services

Victim services program staff/volunteers shall take reasonable steps to facilitate the continuity of services to clients in the event that services are interrupted by program staff factors such as unavailability, relocation, illness, disability, or death.

1.12 Discontinuation of Services

Victim services program staff shall discuss a plan for discontinuing services to clients when such services are no longer required or no longer serves the clients' needs or interest. Appropriate referrals should be made if additional services are required.

1.13 Referral of Services

Victim services program staff shall refer clients to other professionals when the other professionals' specialized knowledge or expertise is needed to serve clients fully or when victim services program staff believe that they are not being effective or making reasonable progress with clients and that additional service is required.

2. VICTIM SERVICES PROGRAM STAFF ETHICAL RESPONSIBILITIES TO COLLEAGUES

2.01 Respect

- Victim services program staff shall treat colleagues with respect, courtesy, fairness, and good faith, and shall represent accurately and fairly the qualifications, views, and obligations of colleagues.
- Victim services program staff shall avoid gossiping about and unwarranted criticism of colleagues in communications with clients or with other professionals.
- Victim services program staff shall cooperate with colleagues when such cooperation serves the well-being of clients and the program mission.

2.02 Confidentiality

Victim services program staff shall respect confidential information shared by colleagues in the course of their professional relationships and transactions. Victim services program staff shall ensure that such colleagues have information regarding the victim services program staff's obligations to respect confidentiality and any exceptions related to it.

2.03 Disputes Involving Colleagues

- Victim services program staff shall not take advantage of a dispute between a colleague and an employer to obtain a position or otherwise advance the victim services program staff' own interests.
- Victim services program staff shall not exploit clients in disputes with colleagues or engage clients in any inappropriate discussion of conflicts between victim services program staff and their colleagues.

2.04 Consultation

- When consulting with colleagues about clients, victim services program staff shall disclose the least amount of information necessary to achieve the purposes of the consultation, respecting the confidentiality guidelines of the program.
- Victim services program staff shall seek the advice and counsel of colleagues whenever such consultation is in the best interest of clients.
- Victim services program staff shall keep themselves informed about colleagues' areas of expertise and competencies. Victim services program staff shall seek consultation only from colleagues who have demonstrated knowledge, expertise, and competence related to the subject of the consultation.

2.05 Referral for Services

- Victim services program staff who refer clients to other professionals shall take appropriate steps to facilitate an orderly transfer of responsibility. Victim services program staff who refer clients to other professionals shall disclose, with client's consent, all pertinent information to the new service providers.
- Victim services program staff are prohibited from giving or receiving payment for a referral.

2.06 Sexual or Romantic Relationship

- Victim services program staff who function as supervisors or educators shall not engage in sexual or romantic activities or contact with employees, students, trainees, or other colleagues over whom they exercise professional authority.
- Victim services program staff shall not engage in sexual or romantic relationships with colleagues when there is a potential for a conflict of interest. Victim services program staff who become involved in, or anticipate becoming involved in, a sexual or romantic relationship with a colleague have a duty to transfer professional responsibilities to avoid a conflict of interest. When possible, staff or colleagues involved in a sexual or romantic relationship should transfer to another facility or work different shifts to avoid awkwardness or other issues.

2.07 Harassment

- Victim services program staff, students, trainees, and colleagues shall attend mandatory sexual harassment training and updates every two (2) years. Annually, the agency Sexual Harassment Policy will be sent to staff, students, trainees, and colleague's discussing sexual harassment. This policy shall be signed annually and placed in the personnel folder.
- Victim services program staff shall not sexually harass employees, students, trainees, or colleagues.

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- Victim services program staff shall not harass, oppress, or engage in any other form of violence towards supervisors, students, trainees, or colleagues, particularly in regard to race, ethnicity, national origin, color, class, gender, gender identity, sexual orientation, age, marital status, political belief, religion and mental or physical disability.

2.08 Unethical Conduct of Colleagues

- Victim services program staff shall take adequate measures to discourage, prevent, expose, and correct the unethical conduct of colleagues.
- Victim services program staff shall be knowledgeable about established policies and procedures for handling concerns about a colleague's unethical behavior. Victim services program staff shall also be knowledgeable with state and local procedures for handling ethical complaints.
- Victim services program staff who believe that a colleague has acted unethically shall seek resolution by discussing their concerns with the colleague when feasible and when such discussion is likely to be productive.
- When necessary, victim services program staff, who believe that a colleague has acted unethically, shall notify a supervisor, and take appropriate action.

2.09 Impairment of Colleagues

- Victim services program staff who have direct knowledge of a colleague's impairment that interferes with her/his practice effectiveness shall consult with a supervisor to investigate the impairment and address appropriately.
- Victim services program staff who believe that a colleague's impairment interferes with her/his practice effectiveness and that has not been addressed shall take action through additional appropriate channels.

2.10 Incompetence of Colleagues

- Victim services program staff who have direct knowledge of a colleague's incompetence that interferes with her/his practice effectiveness shall consult with a supervisor to investigate the impairment and address appropriately.
- Victim services program staff who believe that a colleague's incompetence interferes with her/his practice effectiveness and that has not been addressed shall take action through appropriate channels.

3. ETHICAL RESPONSIBILITIES IN PRACTICE SETTINGS

3.01 Client Records

- Victim services program staff shall ensure that documentation of all records is accurate, appropriate to the services provided, reflects the services provided, and facilitates the continuity of services.
- VSP supervisor shall review client records to ensure documented service accuracy.
- If an issue with service accuracy is found by the VSP supervisor, the supervisor should notify and discuss the issue with the staff person and complete an addendum to the client record. The addendum should be dated for the date on which the issue was found.

3.02 Assessment

Victim services program staff shall carefully consider the client's needs before agreeing to provide services and shall review the client needs in a timely manner to avoid delay of services before entering into a relationship with the agency.

3.03 Supervision and Education

- Victim services program staff who provide supervision or consultation shall have the necessary knowledge and skill to supervise or consult appropriately and shall do so only within their areas of knowledge and competence.
- Victim services program staff who provide supervision or consultation shall set clear, appropriate, and culturally sensitive boundaries.
- Victim services program staff shall not engage in any dual or multiple relationships with supervisees in whom there is a risk of exploitation of or potential harm to the supervisees.
- Victim services program staff who provide supervision shall evaluate supervisees' performance in a manner that is fair and respectful. Refer to the Program Administration Standard.
- Victim services program staff who function as educators or field instructors for students shall take reasonable steps to ensure that clients are routinely informed when services are being provided by students.

3.04 Education and Training

- Victim services program staff who function as educators or trainers shall provide instruction only within their areas of knowledge and competence and shall provide instruction based on the most current and accurate information and knowledge available in the profession.

3.05 Commitments to Employers

- Victim services program staff shall adhere to the policies and procedures set forth by the victim services program.
- Victim services program staff shall work to improve the victim services programs, policies and procedures and effectiveness of their services.
- Victim services program staff, who are authorized to make public statements, shall clearly distinguish between their personal views and positions adopted by the victim services program. Refer to the Media Standard for additional information.

3.06 Administration

- Victim services program staff shall make diligent use of their employing organization's resources, wisely conserving funds where appropriate and never misappropriating funds or using them for unintended purposes. See Fiscal Management Section within the Program Administration Standard.
- Victim services program staff advocate within and outside their organizations for adequate resources to meet client needs.
- Victim services programs shall allocate resources that are nondiscriminatory and based on appropriate and consistently applied principles. See Cultural Responsiveness Standard for more information.
- Victim services program staff shall work to improve the organizations' policies and procedures and the efficiency and effectiveness of its services.
- Victim services program staff shall act to prevent and eliminate discrimination in organizational work assignments and employment practices. See Cultural Responsiveness Standard for more information.

4. ETHICAL RESPONSIBILITIES TO THE COMMUNITY/SOCIETY

4.01 Social Change

- Victim services program staff shall recognize and challenge myths and attitudes detrimental to victim/survivors of crime and the victim rights movement.
- Victim services program staff shall support social, legal, economic, educational, political, and cultural institutions that promote non-oppressive, violence free environments in all segments of community and society.
- Victim services program staff shall promote the general welfare of victims in society including economic and political power to enable victims to make choices for the betterment of their own life at all levels of the social system.
- Victim services program staff shall advocate for the mental and physical well-being of children in society and act to eliminate all exploitation of children.

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- Victim services program staff shall act to expand choice and opportunity for all persons with special regard to groups disadvantaged or oppressed on the basis of race, ethnicity, national origin, color, class, gender, sexual orientation, age, marital status, political belief, religion and mental or physical disability.

4.02 Collaboration and Networking

- Victim services program staff shall work in collaboration with other groups and organizations to further the mission of the victim rights movement.
- VSP staff shall have a working knowledge of related systems that impact victims/survivors of crime.

5. ETHICAL RESPONSIBILITIES AS PROFESSIONALS

5.01 Competence

- Victim services program staff will only accept new responsibilities or reemployment on the basis of existing competence or the intention to acquire the necessary competence.
- Victim services program staff shall strive to become and remain proficient in professional practice and the performance of professional functions. Victim services program staff shall critically examine and keep current with emerging knowledge relevant to victim services. Victim services program staff shall routinely review professional literature and participate in continuing education relevant to victim services practice and ethics.
- Victim services program staff shall base practice on recognized knowledge, including that which is empirically based.

5.02 Discrimination

Victim services program staff shall not participate in, condone, or be associated with any form of discrimination based on race, ethnicity, national origin, color, class, gender, gender identity, sexual orientation, age, marital status, political belief, religion and mental or physical disability.

5.03 Personal Conduct

Victim services program staff shall not permit their personal conduct or beliefs to interfere with their ability to fulfill their professional responsibilities.

5.04 Dishonesty, Fraud and Deception

Victim services program staff shall not participate in, condone, or be associated with dishonesty, fraud, deception, or any type of criminal behavior.

5.05 Impairment

- Victim services program staff shall not allow their personal problems, psychosocial distress, legal problems, substance use, or mental health difficulties to interfere with their professional judgment and performance or to jeopardize the best interest of people for whom they have a professional responsibility.
- Victim services program staff whose personal problems, psychosocial distress, legal problems, substance use, or mental health difficulties interfere with their professional judgment and performance shall seek consultation with their supervisor or designee to take appropriate action to protect clients, staff, and others.

5.06 Misrepresentation of Victims Services Programs

- Victim services program staff shall make clear distinctions between statements made and action engaged in as a private individual and as a representative of the victim services profession, a professional organization, or the victim services program staff's employing agency.
- Victim services program staff who speak on behalf of professional victim services agencies shall accurately represent the authorized positions of the organizations.
- Victim services program staff shall ensure that their representations of professional qualifications, credentials, education, competence, affiliations, services provided, or results to be achieved, to clients, agencies, and the public are accurate. Victim services program staff shall only represent those relevant credentials they actually possess and take steps to correct any inaccuracies or misrepresentations of their credentials by others.

5.07 Solicitation of Testimonials

Victim services program staff shall not engage in solicitation of testimonial endorsements (including solicitation of consent to use a client's prior statement as a testimonial endorsement) from current clients or from other people who, because of their circumstances, are vulnerable to undue influence, manipulation, or coercion.

5.08 Acknowledging Credit

- Victim services program staff shall take responsibility and credit, including authorship credit, only for work they have actually performed or to which they have contributed.
- Victim services program staff shall honestly acknowledge the work of, and contributions made by others.

6. ETHICAL RESPONSIBILITY TO THE VICTIM SERVICES PROFESSION

6.01 Integrity of the Profession

- Victim services program staff shall work toward the maintenance and promotion of high standards of service provision.
- Victim services program staff shall uphold and advance the values, ethics, knowledge, and mission of the profession. Victim services program staff shall protect, enhance, and improve the integrity of the profession through appropriate study and research, active discourse, and responsible criticism of the profession.
- Victim services program staff shall contribute time and professional expertise to activities that promote respect for the value, integrity, and competence of the victim services profession. These activities may include teaching, participating in, consultation, service, legislation, testimony, presentations in the community, and participation in professional organizations.
- Victim services program staff shall act to prevent the unauthorized and unqualified practice of victim services.

6.02 Program Evaluation and Research Participation

- Victim services program staff shall critically examine and keep current with emerging knowledge relevant to victim services. VSPs should evaluate their program practices and use research evidence in their professional practice.
- Victim services program staff engaged in program evaluation may utilize surveys or studies to measure the effort or outcome of victim services.
- VSP service program staff conducting program evaluation or participating in research efforts shall follow guidelines developed for the protection of evaluation and research participants. Appropriate institutional review boards shall be consulted if human subjects will be involved (see [Human Subjects Protection Certification of Compliance \(ojp.gov\)](#) for reference).
- VSP staff engaged in program evaluation or participating in research efforts shall follow all privacy considerations for the data and information collected for research, evaluation or statistical purposes (see [BJS Model Privacy Certificate \(ojp.gov\)](#) for reference). VSP staff should limit access to the data and its analysis only to those individuals with a professional purpose for the information.
- Victim services program staff shall take appropriate steps to ensure that all participants in evaluation and research have access to appropriate supportive services if needed.
- If a VSP publicly releases program evaluation or research findings and determines that there are errors, the VSP should take steps to correct the errors in the published data and make note of the revision. Every effort should be given to provide accurate and verifiable results.

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PREAMBLE

PCCD recognizes a broad spectrum of victims' service programs in Pennsylvania. These standards were written to reflect the broad array of services that it is possible to provide through each funding stream administered by the Office of Victims' Services (OVS). Therefore, there may be some standards that do not apply because a program does not provide a particular service and/or does not receive funding to support provision of that service. Most of the time, victims' services programs will be able to readily identify those standards applicable to their operations. However, in those instances in which the applicability of a standard is in question, technical assistance is available from OVS and its staff.

We hope that advocates working in the field will find these standards useful as they go about their daily work of providing services to victims of crime. Victim advocates are educated in crisis and trauma and understand the impact of crime on the individual, family, and community. All victim advocates shall respect diversity, respond to and for victims of crime, exercise independent professional judgment and react reasonably to provide real time assistance and service in a variety of situations.

Agencies that sustain quality services to victims and retain experienced staff achieve this through fostering a work environment that exhibits the following:

- Effective communication among all staff.
- Adequate resources to maintain services.
- Pro-active problem resolution.
- Clear delineation of roles and responsibilities.
- Maintenance of positive staff morale.
- Effective organization of administration and services.
- Consistent application of office policies and practices.
- Attention to security issues both inside and outside its offices.
- Adequate maintenance and upkeep of building and grounds.
- Coordination of a formal or informal support system for staff to reduce vicarious trauma and burnout.
- Establishing partnerships and relationships with other victim service providers and first responders to provide comprehensive care and services.
- Conducting an assessment and establishing a service plan that specifically meets the needs of each victim.

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For Pennsylvania to maintain its reputation as a recognized leader in victims' rights and services, it shall have educated victim advocates in every county – large and small, urban and rural. In order to ensure that every victim, regardless of location or crime, has access to quality, timely and appropriate services, the Victims' Services Advisory Committee (VSAC) and the Pennsylvania Commission on Crime and Delinquency (PCCD) have adopted these standards to be effective **January 1, 2009**. These standards apply to funding received from the Office of Victims' Services (OVS), PCCD, which includes Victims of Crime Act (VOCA), Rights & Services Act (RSA), and Victims of Juvenile Offenders (VOJO).

It is important to note that PCCD's OVS invited practitioners from the field to help develop these standards. It was important for the unique needs of Victim Service Programs (VSP) across Pennsylvania to be taken into consideration so that these standards reflect the best thinking and practices within the field. These standards also reflect the need for services to be accessible to victims regardless of educational level, mental or physical ability or fluency in English. For this reason, the following practices apply to standards:

- Information shall be available in writing at a 5th Grade Reading Level.
- Information shall be available in all major languages spoken within the service area. Refer to Language Accessibility Standard for additional requirements.
- For individuals who are unable to read or have visual disabilities, information shall be available in large print, on tape or in a mutually agreed to format.
- All standards can be viewed on-line at <https://www.pccd.pa.gov>

ACCOMPANIMENT

CORE STANDARD

Accompaniment is the in-person support provided to a victim. The Victims' Services Program (VSP) provides accompaniment during activities related to the victimization. The VSP shall provide accompaniment and the necessary services for all individuals identified as a victim of crime.

PROGRAM REQUIREMENTS

- The VSP shall make information available to victims on accompaniment services.
- Program staff providing court accompaniment shall be able to explain the purpose of the proceeding and clarify the victim's role in the proceeding. The VSP shall ensure staff is knowledgeable of all criminal or juvenile justice proceedings by regular contact with the courts; this includes advance knowledge of scheduling.
- Program staff providing all types of accompaniment shall be able to explain the purpose of the activity (i.e., hospital, to a meeting with prosecution, law enforcement, etc.) All accompaniments shall be explained as age/developmentally appropriated (e.g., CAC's)
- During accompaniment, the VSP shall provide advocacy, crisis intervention, crisis counseling or victim education as the need arises (see Crisis Intervention, Counseling/Supportive Counseling, and Individual Advocacy standards).
- The VSP shall develop criteria for prioritizing cases when presented with multiple requests that exceed the resources of the VSP.
- The VSP shall provide in-person support, scheduling, and orientation information. When the in-person support is not possible, the VSP shall provide another resource for accompaniment if available. The VSP shall coordinate the provision of accompaniment services with other agencies, e.g., Victim/Witness program, rape crisis centers, domestic violence programs, and community based comprehensive VSPs, to avoid duplication of efforts.

PRACTICE TIPS

- Communication with the victim should be carried out as stated in the Confidential Communications Standard.
- Provide in-person support, scheduling information and orientation during, but not limited to, any of the following:
 - o Juvenile court proceedings.
 - o Criminal court proceedings.
 - o Protection from abuse, protective order, and contempt proceedings.
 - o College disciplinary proceedings.
 - o Hospital or other medical appointments/interviews.
 - o Media interviews.
 - o Coroner's inquest.
 - o Law Enforcement, prosecutor's office, or other legal appointments/interviews.
 - o Parole and juvenile review hearings.
 - o Post-sentencing/dispositional proceedings (i.e., Probation Review hearing per Act 44 of 2023)
 - o Child protective services proceedings.
 - o Appeals hearings.
 - o Restitution hearings.
 - o Diversion proceedings
 - o Executions

CAPITAL CASE NOTIFICATION

CORE STANDARD

The Victims' Services Program shall inform victims in death penalty cases of their opportunity to register with the Office of the Victim Advocate to receive information about services and/or be selected to witness the execution as outlined in 61 P.S. § 3005.

PROGRAM REQUIREMENTS

- The Victims' Services Program shall be knowledgeable of the provisions of 61 P.S. § 3005 that outline the victim's opportunity to be selected to witness an execution.
- The Victims' Services Program shall provide victims with the Office of the Victim Advocate's standard registration card and brochure for notification.
- The Victims' Services Program shall create an environment supportive of the victim's choices surrounding witnessing executions.
- The Victims' Services Program shall provide information and referrals to victims on the availability of local counseling services and support groups.
- The Victims' Services Program shall work in partnership with the Office of the Victim Advocate during the preparation/prebriefing and debriefing stages. Issues regarding the media, rules and regulations of the Department of Corrections and other identified issues shall be considered and addressed.

CIVIL LEGAL SERVICES

CORE STANDARD

Civil legal services enable access to essential civil legal needs to victims of crime in accordance with the VOCA Funding Guidelines. Civil legal services for victims of crime are provided by licensed attorneys and legal staff. As such, all attorneys and those persons supervised by attorneys in the provision of civil legal services to victims of crime are held to the PA Rules of Professional Conduct (PA RPC). All staff shall maintain a clear distinction between the delivery of legal advice and legal information. Providers shall strictly train, monitor, and prohibit staff members and volunteers from the unauthorized practice of law, including providing legal advice or legal representation if they are not properly authorized to engage in such legal practice.

Civil legal services are legal assistance services provided by an attorney where reasonably necessary as a direct result of the victimization. These standards apply to all activities associated with the provision of civil legal services to victims of crime that receive VOCA funding in Pennsylvania.

Key Terms:

Agency – The Victim Service Program (VSP) or legal services organization that is the direct recipient of VOCA funding and is ultimately responsible for the delivery of civil legal services to victims of crime.

Attorney – An individual admitted to practice law by a court of record of this Commonwealth.

Legal Staff – Non-attorney professional staff such as paralegal assistants and legal administrative personnel who are supervised by an attorney.

PROGRAM REQUIREMENTS

- Civil legal services may be provided by:
 - Agency-based attorney(s) who are paid staff, or serve as a pro bono attorney as part of a VSP,
 - Attorney and staff subcontracted by the VSP through separate contracts or memorandums of understanding (MOU's), to provide services, or
 - Independent, eligible no-profit organizations who are direct recipients of VOCA funding to provide civil legal services to victims of crime (e.g., PLAN-affiliated legal services providers, PIRC)
- All services shall be provided in a manner that assures quality, professional and confidential services. All legal staff shall abide by these professional standards:
 - [204 PA Code § 81.4. Rules of Professional Conduct](#)
 - [ABA Principles of a State System for the Delivery of Civil Legal Aid](#)

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- o [ABA Standards for the Provision of Civil Legal Aid](#)
- o [ABA Standards of Practice for Lawyers Representing Victims of Domestic Violence, Sexual Assault and Stalking in Civil Protection Order Cases](#)
- Administration Civil Legal Services Program
 - o Allowable Services – A wide variety of civil legal services are permitted under current VOCA funding guidelines. VOCA expressly prohibits the use of VOCA funding for tort lawsuits and criminal defense.
 - o New Clients
 - To be eligible for civil legal services, all clients shall be a victim of crime and/or of “abuse”, “sexual violence”, or “intimidation” as defined in the Protection from Abuse and From Sexual Violence and Intimidation Acts
 - Clients in need of civil legal services may seek services through any of the following (this list is not all inclusive):
 - Self-Referral
 - VSP referral; or
 - Referral from another civil legal service provider
 - Referral by court or court staff
 - Potential clients shall be evaluated via conflict checks to avoid conflicts of interest (See Conflicts of Interest/Conflict Checks).
 - The attorney shall inform the client of legal services which are allowable under the VOCA funding grants. If the client requires legal services beyond the scope of the VOCA grant, the attorney shall specify what those services are. The duty to inform the client of VOCA eligible services is a continuing duty which is not discharged until the attorney/client relationship terminates.
 - All VOCA funded attorneys are prohibited from accepting a fee for a referral to him/herself or to another attorney.
 - If the attorney determines that they cannot provide civil legal services based on conflict of interest, caseload, or ineligibility, they shall provide, as available, timely referral of cases to other civil legal service providers to avoid unnecessary service delays.
- Malpractice Insurance - Providers of civil legal services to victims of crime shall maintain a malpractice insurance policy that covers all attorneys providing services. The VSP shall provide the malpractice insurance policy for all in-house attorneys providing services. All contracted attorneys shall provide a copy of their malpractice insurance policy to the VSP for their files. Agencies shall ensure that all pro-bono attorneys maintain a malpractice policy.
- Training
 - o Attorney (s) – The following training and professional development requirements will ensure that these services are provided with awareness and understanding of the unique needs of victims of crime.
 - Are not required to attend Foundational Academy but are still subject to agency orientation and training. It is understood that attorneys are subject to separate licensing and credentialing as well as continuing education obligations (See Training & Ongoing Professional Development Standard).

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- All attorneys and legal staff employed or contracted to provide civil legal services shall complete mandatory victim service awareness training. Victim service awareness training will address legal and non-legal issues for victims of crime, ensuring trauma-informed delivery of services. This training is available through the Pennsylvania Legal Aid Network (PLAN) annually. Core elements of this training are also available on the [Pennsylvania Victim Services Training Website](#). This training shall be completed within 6 months from the date of hire and documentation of completion placed in the staff's personnel file.
- All attorneys employed or contracted to provide civil legal services shall complete training to meet the minimum of 10 hours required annually by PCCD. This training may be obtained through a combination of national, state, and local sources such as:
 - Relevant continuing legal education
 - Legal symposiums
 - Office of Victim Services training
 - Victim Service webinar training
 - Victim Services Conference
 - Agency training
- Pro Bono are required to complete six (6) hours of mandatory victim-focused, trauma-informed training, or shall establish that the attorney has sufficient prior training or expertise in victim-related issues to qualify for a waiver of this requirement. In addition, programs utilizing pro bono attorneys are required to have the following safeguards in place:
 - Waivers from the mandatory training requirement based on documented criteria which establish that an attorney has the experience, training, and subject matter expertise necessary to handle the referred case.
 - A grievance system that would allow the victim to file a complaint directly with the Executive Director regarding the delivery of pro-bono legal services.
- o Legal Staff
 - Legal staff shall receive the following training within six months from the date of hire and documentation of completion of training placed in the staff's personnel file (See Training & Ongoing Professional Development Standard)
 - Attend an 8-hour orientation for the agency.
 - Attend Foundational Academy unless agency has oversight from PCAR, PCADV, or NCA
- o Accessibility of Services – Civil Legal Services should be accessible to all victims of crime to the extent possible. Providers shall strive to serve victims where they are, eliminating barriers to delivery of quality, professional, and confidential services.
- o Wherever possible, attorneys and legal staff shall serve people where they are located when physical accessibility may be a barrier to service. This includes locations other than an established office such as home, nursing home, or hospital. (See Program Administration Standard: Accessibility)

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- o Wherever possible, attorneys and legal staff shall use the best available method of communication when language or disability may be a barrier to service. This includes communication tools for clients who are hearing impaired and interpreter services for clients with limited English proficiency. (See Language Accessibility Standard & Use of Technology in the Provision of Services to Victims and Client Data Management Systems Standard)
- Program Income - Program means gross income earned by the subgrantee that is directly generated by a supported activity or earned as a result of a PCCD grant award during the period of performance. Program income includes but is not limited to income from fees for services performed, the use or rental of real or personal property acquired under a PCCD grant award, the sale of commodities or items fabricated under a PCCD grant, license fees and royalties on patents and copyrights. Except as otherwise provided in Federal statutes, regulations, or the terms and conditions of the grant award, program income does not include rebates, credits, discounts, and interest earned on any of them.
 - o Use of Program Income - Program income that the subgrantee did not anticipate at the time of the PCCD award shall be used to reduce the award and any subgrantee contributions rather than to increase the funds committed to the project. Written prior approval from PCCD is required to use program income in a way other than described in the Program Income section of PCCD's Applicant Manual. Institutions of Higher Education and nonprofit research institutions or entities with prior approval of PCCD may add program income to PCCD's grant award. In these cases, program income shall be used for the purposes and under the conditions of PCCD's grant award. PCCD's program income regulations follow 2 CFR 200.307
 - o Accounting for Program Income - Program income shall be accounted for up to the same ratio of PCCD participation in the funding of the project. For example: A subgrant was funded at 75% with PCCD grant funds and with 25% non-PCCD funds. The total program income earned by the subgrant was \$100,000; therefore, \$75,000 shall be accounted for and reported to PCCD as program income on the quarterly fiscal reports. In addition, how the income was earned shall be explained in the remarks section of the fiscal report.
 - o Please contact the Fiscal Department of PCCD at RA-PCCDGrantsMgmt@pa.gov if you choose to accept the payment/program income.

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- Delivery of Civil Legal Services
 - Conflicts of Interest/Conflict Checks – Pursuant to the PA Rules of Professional Conduct, an attorney shall not represent a client if the representation will be directly averse to another client or a former client. The responsible VSP and attorney (s) employed or contracted to provide civil legal services shall implement a means to check referrals for legal services to identify and avoid conflicts of interest.
 - o Attorney (s)
 - All attorneys shall have a system available that keeps an individual up-to-date list of present and former clients.
 - The attorney or appropriate legal staff shall perform a conflict-of-interest check on every person being referred to the legal provider.
 - o Agency
 - The agency shall have a written conflict of interest policy and shall instruct all legal staff regarding conflicts of interest.
 - In the event a client is not eligible for services, the agency shall have a procedure to inform the person requesting legal services of their ineligibility, and the program grievance/complaint procedure to appeal that finding.
 - The agency shall have a process in place to make referrals to other legal service centers or attorney referral services.
- Privilege & Confidentiality – An attorney employed to provide civil legal services to victims of crime shall adhere to the duty of confidentiality and attorney-client privilege as set forth in PA RPC. Any legal or non-legal staff working under the supervision of the attorney shall also work under the umbrella of attorney/client privilege.
 - o Attorney (s)
 - All VOCA funded attorneys and legal staff shall not reveal information related to the representation of a client without the client's consent, except mandated by the PA RPC or court order.
 - o Agency
 - Client information maintained by the VSP will not be disclosed to the legal representative without consent from the client or court order.
- Oversight & Supervision – The supervision of legal services shall be as follows:
 - o Attorney (s)
 - o Agency
 - If civil legal services are provided as a component of a larger VSP's mission, the agency's Executive Director shall develop and implement a written policy to structure the priority of cases.
 - Non-legal within the agency (e.g., Victim's Services Program Executive Director or other personnel) may supervise the attorney and legal staff for administrative and personnel matters.

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- The agency shall maintain a written job description for each legal staff member that includes responsibilities for direct legal supervision. The job description shall detail if the employee is an attorney, legal assistant, support staff or a paralegal, and whether the employee operates under the attorney-client privilege.
- Agency staff, with the exception of attorneys, shall be instructed not to offer advice to clients, which may be construed by the client as legal advice.
- Directly funded VOCA recipients shall periodically review redacted legal case file information to determine eligibility and compliance with the applicable VOCA guidelines. These recipients are required to have a system for tracking case files based on non-personally identifying information about caseloads and types of cases, as well as demographics of the clients served. This information should be made available to PCCD's Office of Victim Services (OVS) for on-site monitoring visits.
- o PCCD
 - PCCD's OVS shall periodically monitor VOCA funded attorneys.
- Caseload Management – All attorney (s) employed or contracted to provide civil legal services shall ensure adequate time for preparation and representation of each and every case.
 - o Attorney (s)
 - The attorney (s) shall make the final decision regarding the size of their caseload in consultation with the attorney's supervisor.
 - The attorney (s) or program shall maintain a data-collection and record-keeping system that allows for the efficient retrieval of data needed to measure and monitor the performance of the legal staff.
 - The attorney (s) and legal staff shall maintain the attorney client privilege and may not reveal personally identifying information to funders or others without the informed, written consent of the individual client or court order.
 - o Agency
 - The agency may establish general case acceptance priorities or guidelines for the program.

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- Separation of Activities – Where the provision of civil legal services is part of a larger VSP, the co-location of activities requires extra measures to ensure the attorney client privilege is maintained. All parties shall understand the victim’s rights regarding privilege, as well as any limitations, such as the exception for mandated child abuse reporting.
 - o Attorney (s)
 - The attorney (s) shall maintain all documents that are subject to attorney client privilege in a limited access physical space where access is limited to those authorized by the PA RPC.
 - All electronically stored information subject to attorney client privilege shall be maintained with access limited to those authorized by the PA RPC.
 - The attorney (s) and legal staff shall be accessible by telephone and facsimile lines that are separate from the telephone and facsimile lines of any non-legal program staff.
 - o Agency
 - If the civil legal services are provided by a VSP, the agency shall ensure that the client is advised as to the difference between attorney/client privilege and the confidentiality privilege between the client and the victim service advocate.
 - The agency shall ensure that access to all legal case files, computer files, databases, email, and electronic communication is restricted access to legal program staff.
 - If legal services are provided by a VSP, legal office space should be physically segregated from program office space. These operations should be housed in separate buildings, or separate floors, in a separate locked portion of the building or allow client access by a separate door.
- Monitoring – The monitoring of legal services shall be as follows:
 - o Attorney (s)
 - The attorney and the supervising attorney shall have procedures in place to monitor caseloads, strategies, and case objectives on a regular basis.
 - The attorney and the supervising attorney shall periodically review all case files to determine eligibility and compliance with the applicable VOCA guidelines.
 - o Agency
 - Directly funded VOCA recipients shall periodically review redacted legal case file information to determine eligibility and compliance with applicable VOCA guidelines. These recipients are required to have a system for tracking case files based on non-personally identifying information about caseloads; the types of services; and the demographics of the clients served. This information should be made available to PCCD’s Office of Victim Services.

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- o PCCD
 - The Office of Victim Services shall periodically monitor VOCA funded attorneys.
 - The Office of Victim Services shall provide ongoing evaluation of information provided on the delivery of civil legal services, to determine if they are useful and effective.

STRIVING FOR EXCELLENCE

Agencies that provide civil legal services should:

- Develop and implement a plan to improve public awareness and education about how to access civil legal services.
- Provide ongoing evaluation of effectiveness of civil legal services in fulfilling objectives.
- Dedicate time to ongoing strategic planning to ensure preparedness for changing needs, resources, and requirements.
- Provide initial screening to identify any other urgent needs of the victim and refer them to the appropriate services.
- Establish mentorship opportunities for attorneys providing civil legal services to victims of crime. Mentorship will allow attorneys to share expertise, provide case review, and seek advice regarding concerns unique to serving victims of crime.

Mentorships may involve:

- o Attorney supervisor;
- o VSPs.
- o Attorney networks; or
- o Partnerships with local law firms & law schools.

All providers of civil legal services should build or strengthen partnerships and collaboration to improve the quality of services provided to victims of crime. These efforts can improve case review, influence case law, streamline processes, raise awareness about available services, improve understanding of victim needs, guide strategic planning efforts, identify reliable funding strategies, and much more.

Collaborations may include:

- Community organizations;
- Government organizations;
- Pennsylvania State Coalitions; or
- Victims Service Programs.

REFERENCES

- [PCCD's Applicant's Manual](#)

COLLABORATION WITH COMMUNITY AGENCIES

CORE STANDARD

The Victims' Services Program (VSP) shall develop and maintain partnerships with other community agencies. The Program shall be familiar with other community agencies within the service area that provide services to victims of crime to ensure that victims have the best access to services. Every effort should be made to avoid duplication of services in the community.

PROGRAM REQUIREMENTS

- The VSP shall maintain a current resource list of community agencies identified as providing victim-centered services.
- The VSP shall meet/have contact with community agencies to gain clarity on the services provided.
- The VSP shall establish a victim-centered referral procedure in cooperation with these community agencies.
- The VSP shall work in coordination with other VSPs to develop, provide, and enhance a continuum of victim-centered support services to victims and witnesses.
- The VSP shall serve on local task force groups, the criminal justice advisory board (CJAB) etc., in order to be able to address and effectively manage issues affecting crime victims within the service area.

PRACTICE TIPS

- Maintain a Memorandum of Understanding (MOU) for referrals and have a policy for how frequently they are to be reaffirmed/renewed.
- Have a policy on how frequently resource/referral lists are updated that contain a mechanism for collecting feedback from victims of crime regarding the accessibility and quality of services from the agency to which they were referred.
- Work with other VSPs to identify the gaps in the availability of services and also work to enhance these services.

STRIVING FOR EXCELLENCE

- The VSP shall arrange for staff training by representatives from the other community agencies in the service area that are providing services to victims of crime.
- The VSP shall provide training to the other community agencies on the role of the VSP, services provided by the Program, Victims' Compensation Assistance Program, and the PA Crime Victims Act (18 P.S. § 11.101).
- The VSP shall establish cross-training in collaboration with other community agencies that are providing services to victims of crime.
- The VSP shall advocate for the development of support services for victims of all crimes within the service area.

CONFIDENTIAL COMMUNICATIONS

CORE STANDARD

Confidentiality is essential to protect the safety of victims, ensure their privacy, establish, and maintain the client-advocate relationship. Confidentiality is defined as an ethical principle or legal right that a Victim Service Program (VSP) will hold private all personal information relating to a victim unless the victim gives prior consent permitting the disclosure of information. A confidential communication is a statement made under circumstances showing that the speaker intended the statement only for the ears of the person addressed.

VSP's will rigorously protect all information regarding program participants and their children and will fully comply with the confidentiality provisions set forth in Pennsylvania state and federal law. Communications are confidential whether made by adults or children, and whether to or between staff, volunteers, student interns or board members.

PROGRAM REQUIREMENTS

- The policy shall hold adult and child victim information confidential unless there is suspicion of child abuse, harm to self, intention to commit a new crime and/or harm to others, or the victim gives the program permission to release such information.
- Each program shall have a written confidentiality policy that applies to staff, volunteers, board members and student interns. Staff, volunteers, board members and student interns of the program shall not disclose or knowingly permit the disclosure of any information concerning the victim or her/his family, directly or indirectly, to any person unauthorized by the victim.
- The confidentiality policy shall include, but not necessarily be limited to the following:
 - A confidentiality statement;
 - Definitions of confidential communications, observations, and information, which includes the origin of confidentiality;
 - Who owns the records?
 - Who has access to records?
 - Procedures for the retention and destruction of records.
 - Procedure for releasing information with consent of victim; and
 - Exceptions for release of information, which do not require the victim's prior written consent.
- When it is not possible to provide a full explanation of confidentiality during an initial contact, a program shall ensure that information about confidentiality is provided to the victim as soon thereafter as practical.

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- A program shall ensure that a victim is making an informed choice in the services she/he seeks. Except in a crisis situation, an initial contact with a victim shall include information about confidential communications, the limitations on the confidentiality as between the victim and the individual providing services on behalf of that program, and an appropriate referral to a program that can provide the highest level of confidentiality available. Under circumstances under which it is not appropriate to provide a full explanation of confidentiality during an initial contact, a program shall ensure that information about confidentiality is provided to the victim as soon thereafter as practical.
- If a program providing counseling/supportive services to a victim does not meet the standards that would afford the counselor/advocate statutorily protected confidentiality in communications with the victim, then the program shall make an appropriate referral to a program that can provide statutorily protected confidentiality. It is the victim who shall make the decision about when and where to seek counseling/supportive counseling services and under what circumstances confidentiality shall be waived.
- If a victim is seeking counseling/supportive counseling services from a comprehensive VSP and has suffered multiple types of crime, the program shall clearly explain and document the level of confidentiality and the limitations of that confidentiality that can be provided.
- Each program providing counseling/supportive counseling services shall have written procedures defining how they will respond to the service of legal process, subpoenas, and warrants that may require the release of victim information, including identifying information.
- Staff, volunteers, student interns and board members will be informed and provided a copy of all policies and procedures related to confidentiality and the application of the policies to their specific role(s) with the program.
- Each VSP shall develop a written policy directing who is the owner of records containing victim information and shall provide that policy to the victim. The program shall maintain the confidentiality of all victims' counseling/supportive counseling case records and identifying information.
- The VSP shall secure records, victim files, logs and other written information against loss, tampering, or unauthorized use. The VSP shall create a written procedure for retention and destruction of records that preserves confidentiality.
- The VSP providing counseling/supportive counseling services shall not use the victims' name or any identifying information without seeking the victim's written permission regarding when it can be revealed. The VSP shall ensure that statistical data/contact sheets never contain verbatim statements.

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- The VSP shall obtain an informed and voluntary consent from the victim for the disclosure of information contained in the victim records for the purpose of referrals. A copy of the consent form shall be offered to the victim and a copy maintained in the victim's records. The consent shall be signed and shall include, but not be limited to:
 - The name of the person, agency, organization to whom disclosure is made;
 - The specific information disclosed;
 - The purpose of disclosure;
 - A dated signature of victim or guardian;
 - A dated signature of witness;
 - An expiration date of the consent (generally not to exceed 30 days.) The expiration date shall reflect time, date, event, or condition depending upon the nature of the information disclosed;
 - An indication that the consent is revocable at the written request of the person giving consent and that the victim has been informed of this right.
- Programs shall not accept a third-party release of information, unless the third party is serving as a court-appointed guardian or personal representative of the victim.
- Programs shall develop a written policy for the acceptance of a victim's verbal consent to the release of confidential information.
- Communications with victims shall be made in a private area. Every effort shall be made to ensure that conversations shall not be overheard.
- The VSP's policies on confidentiality and regulations protecting the privacy of victims, including their identity, shall be a part of the orientation of all paid or volunteer staff members. These policies shall be made known to governing bodies, outside consultants, other agencies, and victims.

PRACTICE TIPS

- In order to maintain confidential communications, VSP's should:
 - Inform the victim upon the first contact that it is the policy of the program that all communications are confidential.
 - Discuss what a victim can expect from the program with regard to confidentiality.
 - Describe the varying levels of legal protection regarding confidentiality.
 - Describe the exceptions to confidentiality, such as reporting child abuse.
 - Ensure all domestic violence and sexual assault victims are informed that Pennsylvania law protects their confidentiality in communications with a domestic violence counselor/advocate or a sexual assault counselor/advocate who meets the legal requirements to assert privilege as set forth in Pennsylvania law. The VSP should not respond to a subpoena without the victim's prior consent. Victims of other types of crime should be informed that there is no Pennsylvania statute protecting their confidentiality, and the program policy to uphold their confidentiality may not hold up under a subpoena.

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- 0 VSP's should develop written materials that provide an easily understandable description of confidential communications, the level of confidentiality provided to a victim seeking counseling/supportive counseling services from that program and a list of referrals to programs that provide the highest level of confidentiality for counseling/supportive counseling services. These materials should be provided to every victim seeking counseling/supportive counseling services. (See Language Accessibility Standard)
- 0 The use of verbal consent to release a victim's information should only be acceptable when it is not possible to obtain the prior written consent of the victim. In such a case, the verbal consent should be documented. It is best practice to obtain the consent in writing.

RELEVANT LEGISLATION

Child Protective Services

Pennsylvania's Child Protective Services Law, 23 PA.C.S. § 6301, *et seq.*, provides an exception to confidential communications as between victims and VSP's. Section 6311 identifies which categories of individuals are mandated child abuse reporters. Section 6313 defines under what circumstances a mandated reporter shall submit a report, what information shall be reported, and related procedures.

CASA

The Juvenile Act, 42 PA.C.S. § 6342, provides an exception to confidential communications between victims and VSP's. This statute allows the court to appoint or discharge a court appointed special advocate (CASA) at any time during a proceeding or investigation regarding dependency. CASA volunteers are appointed by the court and are provided full access to review all records under 23 Pa.C.S.Ch.63 (relating to child protective services) relating to the child and other information, unless otherwise restricted by the court. In addition to being provided full access to review records, CASA volunteers are permitted to interview the child and other appropriate persons as necessary to develop its recommendations to submit in a written report to the court. Powers and duties require CASA volunteers to submit written reports to the court to assist the court in determining the disposition best suited to the health, safety and welfare of the child and submit copies of all written reports and recommendations to all parties and any attorney of a party. All records and information received by the CASA in the performance of their duties under this act shall be confidential and used only by the CASA.

Crime Victims Act

The Crime Victims Act, 18 P.S. § 11.211, *et seq.* (2002), provides that the information a victim shall provide in order to receive notifications of case and defendant status are confidential and may not be disclosed to any entity other than a law enforcement agency, corrections agency, or prosecutor's office without the prior written consent of the victim. Section 11.502 provides that the testimony of the victim before the PA Board of Probation and Parole shall be confidential, including all personal information of the victim and family members.

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Department of Corrections Records

Pennsylvania's Crime Victims Act, 18 P.S. § 11.214(f), provides that all records maintained by the department of corrections, local correctional facility and the board of probation and parole pertaining to a victim shall be kept separate, and a current address, telephone number and any other personal information of the victim and family members shall be deemed confidential.

Domestic Violence

Pennsylvania's Protection From Abuse Act, 23 PA.C.S. § 6116, *et seq.*, provides for confidential communications as between a domestic violence counselor/advocate and a victim of domestic violence. A domestic violence counselor/advocate is someone who works for a program, the primary purpose of which is to provide counseling or services to a victim of domestic violence, and who has undergone 40 hours of training. A domestic violence counselor/advocate is not competent to testify as to any information exchanged in the course of that relationship and only the victim can waive this absolute privilege.

Elder Abuse

The Older Adults Protective Services Act, 35 P.S. § 10225.306, provides that information contained in reports, investigations and service plans shall be considered confidential, except as otherwise provided in the Act or pursuant to Court order. Exceptions include release of information related to criminal conduct perpetrated against an older adult, in the arrangement of services for that individual, and for the purpose of monitoring agency performance.

HIV/AIDS

Pennsylvania's Confidentiality of HIV-Related Information Act, 35 P.S. § 7601, *et seq.*, provides that a VSP shall not divulge an individual's HIV status without the signed written consent of the individual. Section 7607 provides for confidentiality of records, limitations on disclosure, and exceptions for those to whom certain information can be disclosed.

Human Trafficking

Pennsylvania's 2014 Act 105 revised 18 PA. C. S. and 42 PA. C. S. to state "Confidential communication" is defined as all information, oral or written, transmitted between a victim of human trafficking and a human trafficking caseworker in the course of their relationship. The term includes advice, reports, statistical data, memoranda, working papers and records, given, or made during that relationship, including matters transmitted between the human trafficking caseworker and the victim through the use of an interpreter.

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Sexual Assault

42 PA.C.S. § 5945.1(b) provides that a sexual assault counselor may not disclose information without the written consent of the victim. To have confidentiality protection, a sexual assault counselor shall complete 40 hours of training and be supervised by a direct services supervisor of a rape crisis center. A sexual assault counselor/advocate is not competent to testify as to any information exchanged in the course of that relationship and only the victim can waive this absolute privilege.

Witness to Executions

61 P.S. § 4305(c), provides that victims' participation as witnesses to an execution is confidential.

COUNSELING/SUPPORTIVE COUNSELING

CORE STANDARD

Supportive counseling includes intake, provision of information, empathetic listening, feedback, and clarification of options to a victim in response to the effects of victimization. Supportive counseling assists the Victim/Witness in managing the emotionally significant events resulting from the victimization, by utilizing a trauma informed victim-centered process, in identifying the steps necessary to address their concerns related to the victimization and the aftermath.

PROGRAM REQUIREMENTS

- Any limits to confidentiality of information exchanged between the Victims' Services Program (VSP) and the victim shall be explained and documented in writing prior to and throughout the provision of this service (See Confidential Communications Standard).
- The VSP in collaboration with the victim, shall continually consider and discuss concerns related to the victimization and the aftermath experienced by the Victim/Witness and/or significant other. The VSP shall provide supportive counseling if necessary and appropriate. The VSP shall also take active steps to link the Victim/Witness or significant other with a qualified local victim-centered counseling program(s) whenever the needs of the Victim/Witness or significant other are beyond the expertise or capacity of the staff, or whenever the Victim/Witness or significant other requests additional resources or ongoing services (See Collaboration with Community Agencies).
- The VSP shall provide supportive counseling in a secure, safe, and accessible environment where the Victim/Witness and/or significant other can be assured reasonable privacy in a confidential room that has a door that closes securely and from which normal conversations cannot be overheard outside the space.
- Each victim's file shall include documentation regarding services provided (See Program Administration Standard).
- The VSP shall ensure that those individuals who provide ongoing counseling are afforded supervision by a qualified professional.
- Any VSP staff providing ongoing counseling or support group counseling shall complete the applicable training for their agency (See Training Standard).
- The VSP shall maintain up-to-date information on support groups for victims and witnesses and make referrals as appropriate (See Collaboration with Community Agencies).
- The VSP shall consider and discuss with each of the victims/witnesses the need for a referral to a support group and actively link the victims/witnesses with the appropriate resource as necessary, or upon the request of the victims/witnesses or significant others.
- If the VSP offers support groups, participants shall sign a confidentiality agreement. This agreement shall be kept in the victims' file (See Confidential Communications Standard).

STRIVING FOR EXCELLENCE

- The VSP should work in coordination with other VSP's to develop a comprehensive range of trauma informed and victim centered counseling services for victims of all crimes within the service area.

COURT EVENTS

CORE STANDARD

The Victims' Services Program (VSP) funded to provide procedural services, shall ensure that victims receive, in formats accessible to them, all notifications and services available to them throughout all relevant proceedings in the criminal and juvenile justice system.

PROGRAM REQUIREMENTS

Bail & Detention Hearings

- The VSP, in consultation with the District Attorney's Office or Juvenile Probation and/or appropriate entities, when applicable per Act 71 of 2022, shall ensure that the victim (s) is informed of the opportunity to attend and provide comment in bail setting and detention hearings.

Court Notification and Services

- The VSP, in consultation with the District Attorney's office, Juvenile Probation Department and/or other appropriate entities will ensure notification to victims of any victim-related proceedings throughout the criminal and/or juvenile court process.
- The VSP shall ensure that advocacy and supportive services are available surrounding the respective notification(s) throughout all victim related proceedings in the criminal and /or juvenile court process.

Transfer Hearings

- The VSP shall coordinate with the Criminal and/or Juvenile Court and other appropriate entities, to ensure that the victim is notified of hearings relating to the transfer of a juvenile offender's case to or from criminal court proceedings. (i.e., certification and decertification hearings.)
- The VSP, in consultation with the District Attorney's Office, shall ensure that the victim is informed of the opportunity to provide testimony on the impact of the crime to be considered by the court during the transfer hearings in accordance with 42 Pa C.S. § 6355(a)(4)(iii)(A).

Disposition and Sentencing

- o The VSP shall inform the victim(s) of their right to attend and present written and oral input into the disposition and sentencing hearing (see Victim Impact Statement).
- o The VSP shall provide notice of the disposition of the case and/or sentencing of the offender in accordance with the Crime Victims Act. This will include the release of the offender from placement or incarceration.

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- o This notice shall include the details of the disposition of the case and/or sentencing of the offender. Notifications shall include any modifications to the disposition/sentence (i.e., Act 44 of 2023 notifications.)
- o When a juvenile offender is committed to a facility, the VSP shall inform crime victims of their right to be notified by the appropriate county agency and how the victims will register to receive post disposition notification.¹ The VSP shall also provide notification services to crime victims regarding the final disposition of a case involving an adult offender in accordance with the Crime Victims Act.
- o In personal injury crimes, when the District Attorney's Office or Juvenile Probation Office has advance notice of any disposition proceedings, the VSP shall make attempts to notify the victim of the time and place of the proceeding. The notice shall inform them that although they are not required to be present, they may be present at the sentencing and/or disposition phase.
- o When the VSP knows a victim will be present, they shall inform the District Attorney's Office and/or the Juvenile Probation Department.
- o The VSP shall, upon request of the victim, arrange accompaniment for the victim to the dispositional/sentencing hearing (see Accompaniment Standard).
- o In cases where the dispositional hearing/sentencing has been or will be continued, the VSP shall ensure that the victim receives notice of all changes as soon as possible.
- o The VSP shall work with the District Attorney's Office and/or the Juvenile Probation Department to develop a protocol for prior notification to victims when the offender is scheduled to be released from placement/incarceration.
- o The VSP shall develop a process which informs victims of the final disposition in their case. This notice shall include a detailed explanation of the offender's disposition/sentence. Documentation that notice was given shall be maintained.
- o In cases where the offender is sentenced to a state correctional institution, local correctional facility, or mental health facility, the VSP shall ensure that victims are provided notice of their right to enroll in the Office of the Victim Advocate's, Local Correctional Facilities and the Department of Mental Health's release notification programs and will provide the victim with the appropriate enrollment forms. (Per Act 77 of 2022, the VSP is required to provide the victim's contact information to OVA directly for state commitments.)
- o In final correspondence/contact with victims, the VSP shall inform victims that services are still available but that they are responsible for informing the Program of any changes regarding victim contact information.

¹ Pennsylvania Rules of Juvenile Court Procedure adopted by the Supreme Court of Pennsylvania, effective 2005.

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Disposition Review Hearing

- The VSP shall inform the victim of the right to present written comment to the court or to present written or oral input into the disposition review hearing in accordance with the Crime Victims Act.
- The VSP shall provide assistance to victims to exercise their right to present written and oral input into the disposition review hearing (see Victim Impact Statement).
- In cases where the disposition review hearing occurs by formal written documentation review or other format, the VSP shall ensure that the written comments by victims are forwarded to the court prior to the dispositional review.
- The VSP shall notify victims of the outcomes of disposition review hearings, upon request of the victim.

Victims' Rights in Homicide Trials

- The VSP shall inform victims in homicide cases of their right not to be excluded from the trial process because they will be testifying in the penalty phase pursuant to 42 P.A.C.S. § 9711(a)(2) and of their right to have their victim impact statement considered in the penalty phase of death penalty cases under the same Pennsylvania statute.

Appeal Notification

- The VSP shall have a written appeal notification process which shall provide notice to victims of any significant proceedings related to the offender's appeal of his/her disposition or sentence.
- The VSP shall ensure that supportive services are available to the victim surrounding the respective notification(s) of any significant offender appeal proceedings in the criminal and/or juvenile court process.

Transportation

- The VSP shall identify and coordinate with existing resources and transportation services for victims and witnesses.
- The Victims' Services Program shall develop a procedure for handling situations involving out-of-town/state/country victims and witnesses.

PRACTICE TIPS

- Work with the District Attorney and Juvenile Probation to create /update processes/procedures.
- Details of the disposition of a case and/or sentencing of an offender may include, but are not limited to the following:
 - o Disposition
 - Explanation of the case disposition process
 - Date, time, and the location of the disposition
 - Opportunity to attend the disposition
 - Name and location of placement facility (identifying as secure or non-secure)
 - Type of probation (i.e., special, or restrictive conditions)
 - Participation in community service, treatment programs, counseling, and other programs as ordered by the court
 - Costs, fines, and restitution amounts ordered and the payment schedule if any
 - No Contact conditions/orders
 - Other pertinent information as appropriate
 - o Sentencing
 - Explanation of the sentencing process
 - Date, time, and the location of sentencing
 - Opportunity to attend sentencing
 - Name and location of correctional facility
 - Type of probation (i.e., special, or restrictive conditions)
 - Participation in community service, treatment programs, counseling, and other programs as ordered by the court
 - Costs, fines, and restitution amounts ordered and the payment schedule if any
 - No contact conditions/orders
 - Other pertinent information as appropriate
- In a homicide trial, advocate for a meeting between the victim and the assigned District Attorney to determine: if the victim will be called as a witness during the trial; the possibility of sequestration; and in what order the victim will testify.
- Advocate for the victim's testimony to be taken early in the homicide trial proceedings so that the victim may attend as much of the trial as possible.

COURT ORIENTATION

The Victims' Services Program (VSP) shall provide basic orientation to the criminal, juvenile, and/or civil justice system (i.e., protection from abuse orders, civil criminal complaints, etc.) for victims, witnesses, family members or significant others that are served by the agency.

PROGRAM REQUIREMENTS

- The VSP shall be able to explain to victims and witnesses, family members or significant others served by the agency, the various stages, and key stakeholders, of the criminal and juvenile justice systems and civil justice process.
- The VSP shall develop a county-specific model for the court orientation process that includes:
 - written materials
 - courtroom orientation
 - logistics of the court (i.e., transportation, safety/security issues, parking, etc.).
- The court orientation process shall also provide accommodation for individuals having special needs, the age of the victim, and any urban/rural issues.

PRACTICE TIPS

- Examples of such models may include court school for children, videotape of the courtroom, or an on-site courtroom visit.

STRIVING FOR EXCELLENCE

- Create flow charts or other process diagrams to show victims similarities and differences in the court process.

COURT SECURITY

CORE STANDARD

Recognizing and respecting the victim's need for safety and security, the Victims' Services Program (VSP) shall ensure that security measures for victims and witnesses are instituted, including, but not limited to, a separate waiting area for victims and witnesses of crime.

PROGRAM REQUIREMENTS

- The VSP shall meet with the appropriate county personnel (e.g., Sheriff's Office, District Attorney's Office, Prothonotary Office, etc.) to address the issue of victim and staff safety and the identification/location of a separate waiting area.
- The VSP shall provide information to all other courthouse personnel on the need for victims to have separate and secure waiting areas where they can be supported by victim advocates or family members and be free from unwanted contact by media, offenders, offender's family, or associates.
- The VSP shall ensure that current informational brochures are available for crime victims in the waiting area.
- The VSP shall identify the county's procedure on escorting victims, their families, other witnesses, and staff to and from the courthouse.
- The VSP shall provide for the physical and emotional needs of the victim by discussing safety concerns with the victim and helping the victim to identify strategies that reduce the victim's level of anxiety while waiting to be called to the courtroom.
- The VSP shall have procedures for notifying the sheriff's department of any altercations within the courthouse. (See Victim/Witness Intimidation Standard)
- The VSP staff shall work cooperatively with the District Attorney and the court to address security issues in relation to bail or release decisions.
- The VSP shall have a procedure with local law enforcement on escorting victims and witnesses to and from all locations where victims and witnesses are called to testify.

PRACTICE TIPS

- The waiting area should have secure access routes and restrooms for victims and witnesses.
- Provide appropriate comfort items (e.g., newspapers, games, and toys for children, etc.) and make them available for victims and witnesses in the waiting area as they wait to testify.

STRIVING FOR EXCELLENCE

- The VSP staff would provide trained volunteers to staff the waiting room. (See Court Orientation Standard)

CRIME VICTIM GRIEVANCES

CORE STANDARD

The Victims' Services Program (VSP) shall have a grievance process by which victims can file grievances regarding the services provided or the violation of their rights outlined in the Crime Victims Act or other relevant victim's rights legislation. The VSP shall inform the victim of this process and make the appropriate documentation in writing during initial contact.

Definition of Grievance: A grievance is any situation in which a victim is receiving direct services from the VSP believed to be unjust, inequitable, discriminatory, or abusive.

PROGRAM REQUIREMENTS

- The VSP shall have a mission statement or statement of purpose that articulates the philosophy that all victims will be treated with dignity and respect, and that all victims will be afforded, consistent with the law, the ability to choose their level of participation. Victims have the right to file a grievance at any time without fear of retaliation.
- The VSP shall have a written policy on how grievances will be handled in a timely manner. Grievances shall be handled with reasonable promptness, both in presentation and processing. Reasonable promptness is defined as a maximum of sixty (60) working days from date of notification.
- The VSP shall attempt to facilitate a resolution of the grievance by advocating a collaborative approach among the key participants to address the victim's grievance.
- All grievances should document actions taken including resolution and/or disposition and maintained in accordance with the Recordkeeping section of the Program Administration Standard (See Program Administration Standard-Recordkeeping Section).
- When grievances remain unresolved, the VSP shall inform the victim that they may contact the respective oversight agency (i.e., PCCD's Office of Victims' Services, PCADV, PCAR, etc.) for further assistance and advocacy and provide them with contact information.
- If, as a result of the grievance, the victim elects not to receive services, referrals shall be made to other appropriate agencies to ensure that the victim has access to services.

PRACTICE TIPS

- VSPs shall include notice of victim's opportunity to file grievances regarding unlawful or inappropriate action in program brochures or initial correspondence.
- Victims should provide in writing a brief summary of the grievance or inappropriate action that occurred.
- VSPs shall utilize a trauma-informed approach to handling grievances.

CRIMINAL OR JUVENILE CASE STATUS

CORE STANDARD

The Victims' Services Program (VSP) shall provide victims with accurate and up to date information concerning the status of their case.

PROGRAM REQUIREMENTS

- The VSP shall have a procedure to keep or have access to records or files updated with current case status information.
- The VSP shall have a written procedure in which staff responds to case status inquiries in a timely manner (e.g., the general practice is 72 business hours).
- The VSP shall have provide information on the process in which cases proceed through the criminal and juvenile justice systems in the county. (See court Orientation Standard)
- The VSP shall have a procedure to cross reference and help identify potential conflicts with victims, offenders, witnesses, and/or defendants.

PRACTICE TIPS

- Establish a contact person in each police department, Magisterial District Judge's office, Juvenile Probation, District Attorney and/or have electronic means to access case status information.

CRISIS INTERVENTION

CORE STANDARD

Crisis intervention immediately offers, and if accepted, provides the person in crisis the tools to manage the crisis and to facilitate movement toward stability. The Victims' Services Program (VSP) shall provide a range of services, including safety planning, to a victim during any crisis that may occur in the aftermath of a crime.

Examples of Crisis Intervention Services

- Crisis counseling
- Emergency financial assistance
- Victim orientation and education
- Information and referral
- Accompaniment (hospital, law enforcement and emergency court proceedings)
- Advocacy
- Interpretation and translation
- Transportation
- Temporary childcare or adult dependent care (on-site or referral to an agency)
- Temporary housing
- Security measures
- Stress relief resources

PROGRAM REQUIREMENTS

- The VSP shall have a written crisis response protocol which should include addressing the immediate safety, emotional, physical, and financial needs of the victim. The VSP staff shall:
 - Assess the victim's needs related to the crisis.
 - Provide appropriate assistance and make referrals as needed.
- The VSP shall provide support, feedback, and information (safety planning, validation, prediction, and preparation), and the assessment of victim needs in response to a crisis arising from current and/or previous victimization.
- A preliminary review of the needs of the victim shall be completed and appropriate program services offered. Where the services of the VSP are inadequate to meet the needs of the victim, a referral shall be made (See Intake Standard).

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- All programs shall provide safety planning, which involves the following components:
 - o Assess the immediate safety needs of the victim.
 - o If the victim is in danger, a safety plan addressing the immediate situation shall be deployed for achieving physical safety utilizing the following strategies:
 - Alternative housing includes shelter and/or witness protection program.
 - Address Confidentiality Program (ACP)
 - No contact.
 - Where appropriate, a referral to a domestic violence or sexual assault program.
 - Obtaining a protection order (PFA, SVPO, etc.) or other protective strategies.
 - o Once immediate physical safety has been achieved, short-range and long-range plans for physical and emotional safety shall be addressed.

PRACTICE TIPS

- A written crisis response protocol may include, but is not limited to:
 - o Hotline coverage.
 - o Hospital or law enforcement accompaniment.
 - o Nature of interactions with hospital or law enforcement personnel.
 - o Safety planning.
 - o Temporary childcare and adult dependent care
 - o Temporary housing.
 - o Security measures.
 - o Follow-up.
 - o Training requirements to provide crisis intervention skills.
 - o Regular review and update of the protocol.
- If the crisis creates needs that exceed the community's capacity to respond, communities may request the assistance of KCIT.

CULTURAL RESPONSIVENESS

CORE STANDARD

The diversity of a community – by race, age, ethnicity, religion, language, gender, sexual orientation, physical abilities, and neuro-diversity – is woven into the fabric that defines local communities across Pennsylvania. Each person's belief system is built on and influenced by their cultural, social, and family experiences. These beliefs will affect the choices that a victim of crime, a survivor, and their family makes in seeking support from Victim Service Providers (VSPs). To ensure a victims' trust and comfort, the VSP shall eliminate organizational biases that discourage or prevent victims from accessing services. VSPs shall be culturally responsive to the needs of all victims.

The cultural responsiveness of an organization expands beyond the functionality of service delivery. To "achieve" cultural responsiveness, VSPs shall interlace the practice into aspects of the VSPs vision, mission, personnel practices, and service delivery.

To “achieve” effective cultural responsiveness, organizations will need a strong commitment by the Board of Directors/leadership, staff, employees, and volunteers. The following are the *core standard* requirements to meet a basic level of cultural responsiveness. However, PCCD encourages the VSPs to aspire to “achieve” excellence in cultural responsiveness.

PROGRAM REQUIREMENTS

- Board of Directors, Executive Director, or CEO
VSPs shall be authentic and intentional in their efforts to ensure that an organization is culturally diverse and responsive beginning with leadership. The goal of the VSP Board of Directors and leadership staff is to prioritize cultural responsiveness as an integral part of the organization that serves victims of crime.
 - Governing Boards of VSPs shall integrate a commitment to cultural responsiveness in the organization's public policy or values statement. It shall address how they are working to achieve cultural responsiveness through their strategic planning; board membership; personnel policies; staff recruitment/onboarding; ongoing training; and service delivery.
 - The Board of Directors shall periodically review all policies related to cultural responsiveness addressing, at a minimum, the areas listed above. This periodic review will be recorded in Board minutes.
 - The Board of Directors or their designee shall ensure that personnel policies are transparent and encourage safe, open, and inclusive communication between staff and senior management.
 - VSPs may not contract with, or engage through MOU, organizations or persons that support that support the defamation of, or violence towards other groups.

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o Managers and Administrators

The day-to-day implementation of the cultural responsiveness plan is the responsibility of the management team.

- Ensure that cultural responsiveness training includes all PCCD funded personnel that the VSP employs. For VSPs that adhere to PCAR, PCADV, and NCA standards, these hours can be part of the sum of hours required by the funders.
- Develop and implement a sustainable plan to learn about and connect with emerging underserved populations in the VSP service area. Measurements include assessing demographic data and collaboration with community organizations that serve diverse communities.
- VSPs shall involve staff and volunteers in the creation and implementation of the plan to ensure that culturally relevant services are provided. The performance will be measured through the organization's annual work plans. (See Program Administration Standard).
- Ensure that language, translation, and communication support is available for victims whose preferable and comfortable language is other than English. (Refer to the Language Access Standard).
- The VSP shall have personnel policies and procedures in place for supporting employees if a client subjects them to derogatory statements/behaviors related to the staff member's culture (e.g., race, ethnicity, country of origin, gender identity, religion). The procedure shall include a plan for transferring the client to another staff member or referral to another organization for services. Staff members are encouraged to speak with their supervisor about the experience. Staff members shall be trained on the procedure at least annually.
- VSPs shall include similar policies and procedures to support and protect volunteers.
- VSPs shall be intentional and demonstrate culturally responsive communication in marketing/advertising services. The degree of sophistication to which a VSP can implement this plan may be dependent on funding opportunities. At a minimum, VSPs shall use images in their marketing (brochures, websites) that reflect the populations in the service area and the use of language that is inclusive and sensitive to these populations. Particular attention should be given to under and unserved individuals or communities.

o Direct Services Staff and Volunteers

The following requirements are to ensure the comfort and safety for staff, volunteers, and clients.

- Staff and volunteers shall participate in a minimum of one hour of professional cultural diversity training annually.
- Ensure that staff have the opportunity to participate in the planning, development, and review to continue improving the cultural responsiveness of the workplace environment and practices.

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- Use translation and interpretation services appropriately. Staff shall have easy access to various language access venues, including hotlines or chat-lines. (See Language Access Standard)
- Program Facilities
Facilities shall be welcoming to diverse populations. VSPs shall include diversity in their signage, images in artwork, posted written information, and the location of services. The inclusion of all people is a requirement.

STRIVING FOR EXCELLENCE

- Board of Directors, Executive Director, or CEO
 - Recruit Board and non-Board committee members that represent the culturally diverse populations in the community that the VSP serves.
 - Implement a periodic organization assessment tool that measures the cultural responsiveness of the VSP and documents recommendations for improvement.
 - Provide ongoing cultural responsiveness training. Comprehensive training in cultural responsiveness is as broad as the diversity of communities. VSPs that strive for excellence will invest in providing the time and resources to ensure safe and comprehensive training for staff and volunteers.
 - Lead the hiring, advancement, and recruitment of staff.
- Advancing the Field of Victim Services
 - Utilize systems advocacy in support of cultural responsiveness. VSPs, through their systems advocacy efforts, should promote the critical value of cultural responsiveness in serving victims of crime.
 - Provide training and support on the development, implementation, and quality assurance of the cultural responsiveness in their respective organization.
 - VSPs not required to use the Victim Satisfaction Survey (VS3) in VOCA funded projects should develop and implement a post-services survey for clients that assesses their comfort in the way that they received information and determine if the client felt that the organization was sensitive to their cultural norms.
 - VSPs should ensure that they respect and honor the different beliefs of their staff, by providing the option for individuals who practice religions or holidays not recognized as national holidays, to be flexible in allowing staff to use leave on these days. Organizations may consider offering floating holidays to staff.

EMERGENCY FINANCIAL ASSISTANCE

CORE STANDARD

Emergency financial assistance is the provision of short-term monetary assistance to victims of crime. Emergency financial assistance is referenced in other standards throughout this document, including:

- Emergency Shelter
- Relocation
- Transitional Housing

DEFINITIONS

Emergency – An unexpected and unusually dangerous situation that calls for immediate action, an unforeseen combination of circumstances.

PROGRAM REQUIREMENTS

- Emergency financial assistance is available for eligible crime victims who have a direct and immediate financial need as a result of a crime. As defined by VOCA, a crime victim is a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime.
- The financial need shall have a connection to a recent crime victimization, or a recent emergency connected to a crime victimization and be beyond the immediate financial resources of the victim.
- Emergency financial assistance can be provided to crime victims for the following short-term emergency needs¹:
 - o Emergency food and clothing;
 - o Shelter (See Emergency Shelter, Relocation, and Emergency Housing for Elderly or Disabled Adults Standards).
 - o Transportation;
 - o Window, door, and/or lock replacement or repair necessary to ensure victim safety; and
 - o Emergency needs for non-prescription and prescription medicine, durable medical equipment (such as wheelchairs, crutches, hearing aids, eyeglasses) and other healthcare items.
 - o State issued identification card or driver's license replacement.

Other sources of funding, such as insurances or VCAP, should be utilized prior to using VOCA emergency funds. However, this requirement could be waived if the victim need involves an emergency and other funding would take too long to process.

¹ According to VOCA guidelines, the term 'short-term emergency needs' for non-prescription and prescription medicine, durable medical equipment, and other healthcare items refers to needs that typically occur within 48 hours of a crime, where other funding sources, such as the State's compensation program, the victim's insurance, Medicaid, or other health care funding source is not reasonably expected to be available quickly enough to meet those needs.

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ADMINISTRATION

- Each request for emergency financial assistance shall receive a separate review for consideration and approval. All other eligible funding sources, including available victim resources, shall be used before using VOCA funds in the provision of emergency financial assistance. VSPs shall work with victims to pursue alternative funding options before awarding emergency financial assistance using VOCA funding.
- VSPs shall have a written policy and established procedures on the management, approval, and distribution of emergency financial assistance funds. In addition, VSPs shall maintain a thorough record of all activities related to the administration of emergency financial assistance funds that reflects their written policy and procedures. At a minimum, records shall include documentation of eligibility, distribution of funds, payee and amounts, dates of transactions, approving authorities and any other information deemed applicable by the VSP's written policy.
- VSPs administering emergency financial assistance shall establish a system of checks and balances and ensure segregation of associated duties. Formal internal controls for the approval and distribution of emergency financial assistance funds that includes two-person accountability shall be outlined in their written policies and procedures governing emergency financial assistance.
- Emergency financial assistance can be awarded for up to 6 months following the crime dependent upon the type of assistance offered as noted below. This 6-month period may be waived for extenuating circumstances. Please refer to other relevant standards for specific allowable time periods for assistance.
 - o Emergency food and clothing (up to 6 months);
 - o Shelter (up to 6 months);
 - o Transportation (up to 6 months);
 - o Window, door, and/or lock replacement or repair necessary to ensure victim safety (up to 6 months); and
 - o Emergency needs for non-prescription and prescription medicine, durable medical equipment (such as wheelchairs, crutches, hearing aids, eyeglasses) and other healthcare items (within 48 hours).
 - o State issued identification card or driver's license replacement.
- Awards for emergency financial assistance shall be paid directly toward the financial obligation on behalf of the victim when at all possible (e.g., rent, utilities, medical care, etc.). When direct payment to a vendor is not possible or practical, payment may be made to the client with sufficient justification noted. The VSP shall collect the receipts from the victim and maintain them as a financial record.

MONITORING & REPORTING REQUIREMENTS

- OVS will monitor VSPs on the administration of emergency financial assistance. OVS staff will review program policies and all records on the distribution of emergency financial assistance funds.

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- Regular reporting on emergency financial assistance funds will be required as part of the quarterly fiscal reporting processes.
- VSPs should be aware that misuse of funds is strictly prohibited. VSPs identified for the misuse of funds through regular monitoring and audits will be held responsible for full reimbursement of the misappropriated funds.

PRACTICE TIPS

- VSPs are encouraged to identify and collaborate with other governmental and non-governmental entities that provide compensation and/or emergency financial assistance funding to ensure that VOCA funds are used only as a last resort and avoid misuse of funds.
- VSPs are encouraged to provide follow-up activities with crime victims utilizing emergency financial assistance to encourage self-sufficiency and ensure that the victim's needs have been met.

REFERENCES & RESOURCES (applicable legal authority if available)

- Related Victim Services Standards
 - o Relocation
 - o Emergency Shelter
 - o Transitional Housing
 - o Emergency Housing for Elderly or Disabled Adults

EMERGENCY HOUSING AND SUPERVISION SERVICES FOR ELDERLY OR DISABLED ADULTS

CORE STANDARD

Emergency housing is defined as short-term nursing home, adult foster care, or group home placement for adults for whom no other safe, short-term residence is available. Emergency housing is limited to adults with disabilities aged 18-59 and any older adult, aged 60 years or older, who is the victim of a crime resulting in abuse, neglect, exploitation and/or abandonment.

Short-term emergency housing is to be provided for a period not to exceed 45 days until a more permanent solution can be established. Emergency Housing and Supervision Services options under this standard include but are not limited to: a domiciliary care home, an assisted living facility, a long-term care nursing facility, an older adult daily living center, or a personal care home. Emergency Housing and Supervision Services options should be based upon the need of the eligible victim and be the least restrictive alternative.

Please see the following additional standards for more information on Emergency housing and supervision service options for all victims of crime:

- In-Home Care and supervision services for Adults and Children
- Emergency Financial Assistance
- Emergency Shelter
- Transitional Housing
- Relocation

DEFINITIONS

Eligible victim - An adult between 18-59 years of age with a physical or mental impairment that substantially limits one or more major life activities, and any older adult, aged 60 years or older. An eligible victim is an individual who is the victim of a crime, abuse, neglect, exploitation and/or abandonment, and requires Emergency housing and/or supervision services as a direct result of their victimization and has no other personal or financial resources available to secure these services.

Facility - The term includes, but is not limited to:

- An assisted living residence as defined in section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.
- A domiciliary care home as defined in section 2202-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.
- A home health care agency as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.
- An intermediate care facility for people with intellectual/developmental disabilities.
- A long-term care nursing facility as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.
- An older adult daily living center as defined in section 2 of the act of July 11, 1990 (P.L.499, No.118), known as the Older Adult Daily Living Centers Licensing Act.

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- A personal care home as defined in section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.
- An organization or group of people that uses public funds and is paid, in part, to provide care and support to adults in a licensed or unlicensed setting.
- A residential treatment facility.

PROGRAM REQUIREMENTS

For the VOCA-funded agency that provides emergency housing and/or supervision services, the following requirements apply:

- The responsible agency shall establish an interagency agreement or memorandum of understanding between the local Victim Service Provider (VSP) and the county's Area Agency on Aging (AAA) or the PA Department of Human Services' subcontracted entity for Adult Protective Services (APS). This agreement shall be included in the appropriate annual plans and/or contracts for all parties. At a minimum, the agreement shall address the following:
 - Intake and Eligibility of victims.
 - The needs assessment process, as required in the Older Adults Protective Services Act (OAPSA) or APS.
 - The risk assessment process, and the development of a safety plan, if necessary.
 - The service plan process, as required in OAPSA or APS, which shall be developed by the AAA or APS in collaboration with the VSP.
 - All of the additional housing options available through the agencies (See In-Home Care and/or supervision services for Adults and Children, Emergency Financial Assistance, Emergency Shelter, Transitional Housing and Relocation standards) that may be appropriate for certain eligible victims as an alternative to emergency housing.
 - The scope and length of services.
 - The communication process between agencies, taking each agency's respective confidentiality requirements into consideration. At a minimum, services provided under this standard shall abide by the current confidentiality standard included in the Consolidated Victim Service Program Standards.
 - Formal inter-agency collaboration through task force participation, cross-training, and/or case review meetings.
 - Any other OAPSA or APS requirements, including but not limited to conflict-of-interest assessment procedures, the Report of Need process, and liability considerations.
 - The fiscal responsibilities of the VSP and the AAA or APS
 - Any other policies or procedures deemed necessary between the VSP and the AAA or APS.

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If a determination is made by the AAA or APS that protective services are not required, the VSP may independently provide the eligible victim with emergency housing and/or supervision services, including but not limited to other housing options, personal advocacy, counseling, safety planning, civil legal services, transportation, or other eligible direct services.

- Emergency housing and/or Supervision services shall be provided in a clean, secure, protective, and accessible facility. Facilities shall comply with all relevant federal, state, and local laws; health and safety codes; and inspection requirements. The placement of an eligible victim in a facility and/or supervision services should be based upon a location's admission guidelines, available resources, the need of the eligible victim, and the urgency of the need for temporary housing.
- Federal VOCA funding for emergency housing cannot be used to supplant existing state or local funding commitments for these services, but funding can be used to supplement existing funds for new or expanded services. In addition, participation in emergency housing and/or supervision services shall be voluntary. Emergency housing and/or supervision services that are court-ordered are not eligible for VOCA funding and shall be provided by the AAA or APS office independently.

STRIVING FOR EXCELLENCE

- Responsible agencies are encouraged to enter into interagency agreements or a memorandum of understanding (MOU) with facilities and local area service providers, including other VSPs, to develop a comprehensive range of housing options for eligible victims.
- VSPs are encouraged to invite their county AAA or APS and facility providers to attend trauma-informed training sessions and to inform them on emerging trends and responses to victimization.
- Representatives from VSPs and AAA or APS are encouraged to participate on county Elder Abuse Task Forces to facilitate relationships and referral procedures for eligible victims in need of services.

REFERENCES

- [Older Adults Protective Services Act, Act 79 of 1987, P.L. 381, No. 79](#)
- [Adult Protective Services \(APS\) Law, Act 70 of 2010, P.L. 484, No. 70 Cl.23](#)

EMERGENCY SHELTER

CORE STANDARD

Emergency shelter is a safe space, or access to emergency safe space, which may be provided in residential shelter facilities, scattered site apartments, or hotels/motels. Subject to the Victims' Service Program's (VSP) capacity availability, suitability under intake guidelines, and available resources, emergency shelter is available on a 24-hour, 7-days a week basis for short-term stays for a victim and the victim's non-offending family members.¹

DEFINITIONS

Emergency – An unexpected, dangerous situation that calls for immediate action, an unforeseen combination of circumstances.

Shelter – A place for victims of crime to live temporarily when they cannot live in their previous residence.

PROGRAM REQUIREMENTS

For the VSP that provides emergency shelter services, the following requirements apply:

- VSPs shall ensure that shelter is provided in a clean, secure, protective, and accessible environment. The shelter operated by the VSP shall be in compliance with all relevant federal, state, and local laws, health and safety codes and inspection requirements.
- Programs shall meet the basic needs of all residents. These include food, shelter, appropriately fitting clothing, and a safe place to sleep.
- The shelter shall have written policies and procedures for the following²:
 - o Clients eligible to be served by the shelter, and a prioritization of need for those clients.
 - o Travel protocols for all persons requesting emergency shelter admission.
 - o Intake procedures, including the orientation process to the shelter facility.
 - o Comprehensive shelter service policies for residents, including policies for:
 - Confidentiality rights³
 - Service agreements and records, and accessibility;

¹ It is important to remember that when working with victims of human trafficking, Pennsylvania's comprehensive human trafficking statute – Act 105 of 2014 – explicitly notes that residence of a victim in a human trafficking shelter shall be voluntary and a victim may decline to stay in a shelter if they so choose. See 18 PA. CONS. STAT. ANN. § 3055(a).

² For VSPs funded by PCADV, all policies are referenced in *Section 8: Residential Shelter Services*.

³ A human trafficking caseworker working in a shelter may not disclose confidential communications that occurred with a human trafficking victim. See 42 PA. CONS. STAT. ANN. § 5945.3(b)(2). Confidential communications include all oral or written information between the caseworker/advocate and victim, including "advice, reports, statistical data, memoranda, working papers and records." See *id.* § 5945.3(c).

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- Consent and release of information agreements;
- Resident rights and responsibilities including program complaint procedures;
- Communal living guidelines to include house meetings and support groups;
- The legal responsibility of staff and volunteers as mandatory reporters of child abuse and neglect; and
- Individual or family plan of self-defined needs, goals, and action steps to address needed services that assist in maintaining safety.
- Appropriate length of stay policy that is flexible and balances the specific needs of the resident with the VSP's ability to meet those needs.
- Staff and resident protocols for emergencies at or near the facility (e.g., fire, suicide or client fatality, bomb threats, hostage situations, injury, or health-related emergencies, etc.) and unforeseen disruptions of service, (e.g., shelter infestations, environmental disasters, natural disasters, and utility disruption, etc.) Shelters shall also have a planned response for an attempted break-in or an intruder on the property and for violence or threats of violence.
- Staff protocols, including daily operations, client travel, visitation policies, and safe practices for utilizing technology. (See Use of Technology in the Provision of Services Standard)
- Storage and access to resident medication.
- Meeting the medical needs of residents, including emergency situations, and ensuring the availability of emergency medical and dental care.
- Contagious and communicable diseases.
- Security of residents' possessions and belongings.
- Disposal of residents' possessions and medications left at the facility.
- Resident access to telephone and/or Internet use.
- Privacy of residents.
- Prohibition of weapons on facility property.
- A VSP may offer alternate accommodations (e.g., hotel/motel) for when the primary shelter facility is at capacity, the client cannot access the facility, or the need of the client dictates alternative accommodations are necessary. VSPs shall be required to inspect alternate accommodations on an annual basis to ensure they meet the environmental requirements stated above.
- All shelter staff shall provide trauma-informed services. VSPs shall ensure that training of shelter staff is tailored to the shelter's clientele (e.g., domestic violence victims; sexual assault victims; child victims; human trafficking victims; etc.). All residential shelter service staff shall receive instruction in the dynamics of communal living, including conflict resolution, facilitating group dynamics and parent/child dynamics and interactions.
- Staff may be required to obtain additional threshold training or meet other requirements by the agency with financial or programmatic oversight of the VSP (e.g., PCAR, PCADV, NCA, or PCCD), including meeting the 10 hours of training required annually for direct service staff by PCCD. Staff may not be able to offer shelter services until these additional trainings or requirements are satisfied.

STRIVING FOR EXCELLENCE

- VSPs are encouraged to coordinate with other VSPs and other local area service providers to develop a comprehensive range of emergency shelter services for victims of all crimes within the service area.

FORENSIC INTERVIEWS FOR VULNERABLE ADULTS

CORE STANDARD

Forensic interviews are utilized to obtain information in a trauma informed manner from a vulnerable adult about abuse allegations that will support accurate and fair decision making by a multidisciplinary team (MDT). The MDT is comprised of representatives from the criminal justice system, county adult, or older adult protection services, and service delivery systems.

Forensic interviews adhere to research and practice-based guidelines that create an interview environment that enhances free recall, minimizes interviewer influence, and gathers information needed by all the MDT members in order to avoid duplication of the interview process. They are conducted by trained forensic interviewers in a manner that is developmentally and culturally sensitive, unbiased, fact-finding, and legally sound.

DEFINITIONS

Multidisciplinary team (MDT). A team formed to coordinate an abuse investigation and provide services to the victim and their non-offending caregivers. Prosecution, law enforcement, county service agencies (e.g., Adult Protective Services (APS), Area Agency on Aging (AAA), Older Adult Protective Services (OAPS), Departments of Mental Health, Developmental Programs (MHDP) and/or the Office of Long-Term Living), medical professionals, mental health specialists, Victim Service Programs (VSPs) and other stakeholders may all serve as part of an MDT.

Vulnerable adult. An individual aged 18 or over whose ability to protect themselves from violence, abuse or neglect is significantly impaired through physical or mental disability or illness, aging, or otherwise. This includes, but is not limited to, adults with cognitive and/or physical disabilities and elderly individuals with diminished cognitive and/or physical capacities (e.g., communication and sensory disabilities, intellectual and developmental disabilities, such as dementia, autism, traumatic brain injury, or severe mental illness that compromises their ability to participate in the traditional interview experience).

PROGRAM REQUIREMENTS

- VSPs conducting forensic interviews of vulnerable adults shall develop a comprehensive, written protocol between all parties that includes, at a minimum, the following:
 - Assessment and referral criteria.
 - Medical examination process.
 - The scheduling process for the forensic interview.
 - The methodology to be used to conduct the forensic interview.

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- o The training of the person conducting the forensic interview. At a minimum, the training shall include:
 - A National Children's Alliance (NCA) approved forensic interview training; and
 - National Children's Advocacy Center (NCAC) forensic interview training; and
 - Additional specialized training or experience in interviewing vulnerable adults and their specific needs; and
 - Training and education regarding the assessment of mental health and substance abuse disorders.
- o The accommodations for the forensic interview (e.g., the physical location for the interview, the environment for the interview, interview length, adapting the environment to address sensory and physical considerations, allowing for a support person to accompany the vulnerable adult to the center, physical adaptations, forms of communication, language preference, interpreters, etc.).
- o The identification of the MDT members observing the interview.
- o The information sharing process between all parties.
- o The confidentiality considerations.
- o The pre-and-post-forensic interview MDT meetings.
- o The process and criteria for multi-sessions forensic interviews and extended forensic interviews.
- o The established protocols that prohibit the alleged perpetrator's presence on the premises in order for the forensic interview to occur.
- o The victim advocacy services available.
- o The documentation of the forensic interview (e.g., digital recordings).
- o The method of case tracking (e.g., demographic information, case information and investigation/intervention outcomes).
- o The case review process.

The VSP shall have a separate protocol for vulnerable adults. This written protocol may be modeled after NCA-accepted protocols for forensic interviews of children but shall be a separate protocol for vulnerable adults only. VOCA recipients shall be required to provide this written protocol and any other supporting documentation to PCCD to be eligible to conduct forensic interviews of vulnerable adults.
- The VSP shall ensure that any victim or family advocate who is also trained to conduct forensic interviews does not perform both duties or roles (i.e., conduct both the forensic interviews and offer advocacy services) with the same vulnerable adult and/or their family. VSPs are encouraged to collaborate with other VSPs to avoid this situation.

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STRIVING FOR EXCELLENCE

- MDT member trainings that provide a general overview of the forensic interview process in order to gain a better understanding and education of that process are encouraged; however, forensic interviewing of alleged victims in the context of a MDT response is considered specialized and thus requires a trained forensic interviewer.
- VSPs that offer forensic interviews should provide initial and ongoing opportunities for professionals who conduct forensic interviews to receive specialized training. It is vitally important that forensic interviewers remain up to date on current developments in the fields relevant to their delivery of services to victims and continue to develop their expertise.
- Forensic interviews for vulnerable adults may be conducted utilizing methodology from NCA approved protocols, New York State Justice Center for Protection of People with Special Needs, End Violence Against Women International, and the Illinois Family Violence Coordinating Council.

RESOURCES

- [Network of Victim Assistance \(NOVA\)](#)
- [Children's Advocacy Centers of Pennsylvania](#)
- [Mission Kids Child Advocacy Center](#)
- [Illinois Family Violence Coordinating Council](#)
- [New York State Justice Center for Protection of People With Special Needs](#)
- [Modell Consulting Group, LLC](#)
- [Office of Victims of Crime, Victims with Disabilities](#)
- [National Children's Advocacy Center](#)
- [National Children's Alliance](#)
- [End of Violence Against Women International](#)

FORENSIC INTERVIEWS OF CHILDREN

CORE STANDARD

Forensic Interviews of children (i.e., an individual under 18 years of age) are conducted in a manner that is developmentally and culturally responsive, neutral, fact-finding and legally sound, and are coordinated to avoid duplicative interviewing. *This standard is applicable to any agency that is not officially recognized by the National Children's Alliance (NCA).*

PROGRAM REQUIREMENTS

- Forensic interviews are provided by MDIT (Multi-disciplinary Investigative Team)/CAC (Child Advocacy Center) staff with specialized training in conducting forensic interviews.
CAC shall demonstrate that all forensic interviewers have successfully completed training that includes a minimum of 32 hours instruction and practice, and at a minimum includes the following elements:
 - o Evidence supported interview protocol,
 - o Pre- and post- testing reflecting understanding of the principles of legally sound interviewing,
 - o Content includes at a minimum: Child development, question design, implementation of the protocol, dynamics of abuse, disclosure process, cultural competency, suggestibility,
 - o Practice component with a standardized review process,
 - o Required reading of current articles specific to the practice of forensic interviewing.Curriculum shall be included on NCA's approved list of nationally or state recognized forensic interview trainings or submitted with the accreditation application.
- Individuals with forensic interviewing responsibilities shall demonstrate participation in ongoing education in the field of child maltreatment and/or forensic interviewing consisting of a minimum of 10 hours of continuing education units CEU credits every year.
- The CAC/MDIT's protocols shall reflect the following items:
 - o Case acceptance criteria,
 - o Criteria for choosing an appropriately trained interviewer (for a specific case),
 - o Personnel expected to attend/observe the interview,
 - o Preparation/information sharing and communication between the MDIT and the forensic interviewer,
 - o Use of interview aids,
 - o Use of interpreters,
 - o Recording and/or documentation of the interview,
 - o Interview methodology (i.e., state or nationally recognized forensic interview training model(s),
 - o Introduction of evidence in the forensic interviewing process,
 - o Sharing of information among MDIT members,

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- A mechanism for collaborative case coordination,
- Determining criteria and process by which a child has a multi-session or subsequent interview, which may include extended forensic interviews.
- MDIT members with investigative responsibilities on a case shall observe the forensic interview(s) to ensure necessary preparation, information sharing, and MDIT/interviewer coordination throughout the interview and post-interview process. The same person may perform the duties of both Forensic Interviewer and Victim Advocate at a CAC, but never both roles with the same child/family. However, efforts shall be made through collaboration between CACs and other local Victim Services Programs to avoid situations where it is necessary for the same person to perform in both roles, even if it is for a different child/family.
- Individuals who conduct forensic interviews at the CAC shall participate in a structured peer review process for forensic interviewers a minimum of 2 times per year, as a matter of quality assurance. Peer review serves to reinforce the methodologies utilized as well as provide support and problem-solving regarding shared challenges. Peer review includes participants and facilitators who are trained to conduct child forensic interviews. Structured peer review includes:
 - Ongoing opportunities to network with, and share learning and challenges with peers,
 - Review and performance feedback of actual interviews in a professional and confidential setting,
 - Discussion of current relevant research articles and materials,
 - Training opportunities specific to forensic interviewing of children and the CAC-specific methodologies.
- The CAC/MDIT coordinates information gathering including history taking, assessments and forensic interview(s) to avoid duplication.

STRIVING FOR EXCELLENCE

Establish a system to provide advanced forensic interview training beyond the initial training for anyone conducting forensic interviews at the CAC. Such specialized trainings would include, but are not limited to, Forensic Interviewing for Individuals with Disabilities (FIND); Presenting Evidence in Child Forensic Interviews; Child Sex Trafficking FI Training, etc.

IN-HOME CARE FOR ADULTS AND CHILDREN

CORE STANDARD

In-home care is short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed. In-home care includes any professional support services that allow a person to live safely in their home. Examples include services provided by a home care agency or a home health care agency, or in-home childcare.

Individuals eligible for short-term in-home care shall be victims of a crime resulting in abuse, neglect, exploitation and/or abandonment, and require in-home care as a direct result of their victimization and have no other personal, financial, or governmental resources available to secure these services.

Please refer to the following additional standards for more information on other options available for victims of crime if in-home care options are not available or appropriate:

- Emergency Financial Assistance
- Emergency Shelter
- Emergency Housing and Supervision for Elderly or Disabled Adults
- Transitional Housing
- Relocation

DEFINITIONS

In-Home Care - Emergency caretaker services that are provided by or subject to approval, licensure, registration, or certification by the Pennsylvania Department of Health (department) or that are provided pursuant to a contract with the department or a county social services agency.

PROGRAM REQUIREMENTS

For the VOCA-funded agency that provides in-home care, the following requirements apply:

- In providing for in-home care for an adult, the responsible agency shall establish an interagency agreement or memorandum of understanding (MOU) between the local Victim Service Program (VSP) and their service area's Area Agency on Aging (AAA) or the PA Department of Human Services' subcontracted entity for Adult Protective Services (APS). This agreement shall be included in the appropriate annual plans and/or contracts for all parties. At a minimum, the agreement shall address the following:
 - o Eligibility of victims, including a provision that the offending caretaker be removed from the home prior to the provision of services under this standard.
 - o The needs assessment process, as required in the Older Adults Protective Services Act (OAPSA) or APS.
 - o The risk assessment process, and the development of a safety plan, if necessary.
 - o The service plan process, as required in OAPSA or APS, which shall be developed by the AAA or APS in collaboration with the VSP.

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- o All of the additional housing options available through the VSP (See Emergency Housing and Supervision Services for Elderly or Disabled Adults, Emergency Shelter, Transitional Housing and Relocation standards) that may be appropriate for certain eligible victims as an alternative to in-home care.
- o The scope and length of services.
- o The communication process between the two agencies, taking each agency's respective confidentiality requirements into consideration. At a minimum, services provided under this standard shall abide by the current Confidential Communications Standard.
- o Joint projects shall demonstrate formalized inter-agency collaboration through task force participation, cross-training, and/or case review meetings.
- o Any other OAPSA or APS requirements, including but not limited to: conflict of interest assessment procedures, the Report of Need process, and liability considerations.
- o The fiscal responsibilities of the VSP and the AAA or APS (See below).
- o Any other policies or procedures deemed necessary between the VSP and the AAA or APS.

If a determination is made by the AAA or APS that protective services are not required, the VSP may independently provide the eligible victim with in-home care or other services, including but not limited to other housing options, personal advocacy, counseling, safety planning, civil legal services, transportation, or other eligible direct services.

- If there is a need for in-home care for a child, VSP's shall work closely with the local Children & Youth Office to best support the needs of the child. It is recommended in these instances that a MOU be established.
If a determination is made by CYS that general protective services or child protective services are not required, the VSP may independently provide the eligible victim with in-home care or other services, including but not limited to other housing options, personal advocacy, counseling, safety planning, civil legal services, transportation, or other eligible direct services.
- Federal VOCA funding for in-home care cannot be used to supplant existing state or local funding commitments for these services, but funding can be used to supplement existing funds for new or expanded services. In addition, participation in in-home care shall be voluntary. In-home care or other services that are court-ordered are not eligible for VOCA funding and shall be provided by the appropriate county office independently.

STRIVING FOR EXCELLENCE

- Responsible agencies are encouraged to enter into interagency agreements or MOUs with all relevant local service providers to develop a comprehensive range of in-home care options for victims.
- VSPs are encouraged to invite their service area AAA or APS, CYS, and in-home service providers to attend trauma-informed training sessions and to inform them on emerging trends and responses to victimization.

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- Representatives from VSPs and AAA or APS are encouraged to participate on county Elder Abuse Task Forces to facilitate relationships and referral procedures to elderly or disabled victims in need of services.
- Representatives from VSPs are encouraged to participate on their county multidisciplinary investigative team (MDITs) to facilitate relationships and referral procedures for child victims.

REFERENCES

- [Child Protective Services Law](#), Title 23, Chapter 63, 1990, P.L. 1240, No. 206
- [Older Adults Protective Services Act](#), Act 79 of 1987, P.L. 381, No. 79
- [Health Care Facilities Act](#), Act 48 of 1979, P.L. 130, No. 48
- [Adult Protective Services \(APS\) Law](#), Act 70 of 2010, P.L. 484, No. 70 Cl.23

INDIVIDUAL ADVOCACY

CORE STANDARD

Individual advocacy is any intervention to obtain information or provide active visible support throughout criminal justice, juvenile justice, and civil proceedings. This includes protection orders, enforcement proceedings, and/or situations related to the victimization requested by and on behalf of the victim. The Victims' Services Program (VSP) shall provide individual advocacy for the victim. Individual advocacy is an active process that can occur any time after victimization. Program staff also act to address any barriers that may prevent victims from speaking for themselves.

PROGRAM REQUIREMENTS

Advocacy

- The VSP shall ensure that individual advocacy is provided in a wide range of situations which may include advocating for other services that arise or might benefit the crime victim.
- VSP staff shall:
 - o Update the intake as needs change or become apparent.
 - o Link the victim with the resources necessary to address those needs.
 - o With the victim's consent, advocate on their behalf. Individual advocacy shall include:
 - Accepting the victim's decision to discontinue services in a manner that leaves the door open should the victim choose to reconsider.
 - Developing relationships with the individuals in those systems most frequently encountered by crime victims.

HIV/AIDS

- Individual advocacy is provided relative to HIV related services when a victim believes the crime has impacted their HIV status:
 - o The VSP shall identify counseling, confidential and anonymous testing options for victims regarding their possible HIV-status. (See Confidential Communications Standard- *Relevant Legislation* section)
 - o The VSP shall have a victim-centered HIV Policy which addresses the following:
 - A victim disclosure regarding HIV status does not require informing all members of the VSP.
 - The right of a victim/survivor to give informed consent to any test, treatment, or procedure.
 - The right of a victim/survivor to make an informed request for relevant testing of an offender.

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Childcare and/or Adult Dependent Care Needs as related to Criminal Justice, Juvenile Justice, Civil Proceedings & Victim Services:

- To ensure that individual advocacy is provided for victims where childcare and adult dependent care needs arise relevant to the victimization:
 - o The VSP shall maintain a list of licensed childcare and adult dependent care options available in the service area.
 - o The VSP shall inform victims of the possibility of reimbursement of childcare and adult dependent care expenses through the Victims Compensation Assistance Program (VCAP).

PRACTICE TIPS

- Empower victims in speaking for themselves and assist them with accessing all of the relevant services and resources that are available to them.
- With the victim's consent, provide other services within systems by:
 - o Advocating for property return. (See Property Return Standard)
 - o Assisting with private insurance claims.
 - o Assisting with the development of a Victim Impact Statement. (See Victim Impact Statements Standard.)
 - o Assisting with Victim Compensation. (See Victims Compensation Assistance Standard)
 - o Connecting the crime victim with notification services. (i.e., PA SAVIN, OVA, weekend home pass, etc.)
 - o Educating the crime victim about the justice system.
 - o Educating and orientating the crime victim about the Victim's Bill of Rights and legal standing.
 - o Ensuring language access. (See Language Accessibility Standard)
 - o Intervening with creditors, landlords, and employers.
 - o Intervening with justice system personnel.
 - o Introducing the crime victims to personnel from other systems.
 - o Obtaining a Protective Order (i.e., Sexual Violence Protective Order, Protection from Intimidation, Protection from Abuse, etc.)
 - o Obtaining document replacement (i.e., Birth certification, driver's license, state identified card, immigration related documents, etc.)
 - o Providing crime-specific information.
 - o Providing post-sentencing support services. (i.e., Victim input at parole hearings)
 - o Relocation assistance as appropriate. (See Relocation Standard)
 - o Safety planning strategies.
 - o Supporting the crime victim before, during and after the trial or other criminal, juvenile, or civil proceedings.

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- Programs can contact the Pennsylvania Department of Health for information on HIV.
- **Assistance in Civil Matters** – The VSP shall have available information on the civil justice system including:
 - o List of attorneys
 - o Written materials explain the difference between criminal and civil justice.

STRIVING FOR EXCELLENCE

- Child Care & Adult Dependent Care
 - o The VSP shall contract for services through licensed local childcare and adult dependent care programs in the service area.

INTAKE

CORE STANDARD

Intake begins at the point of engagement when the victim voluntarily accepts services offered. Intake consists of the initial and ongoing process whereby the Victims' Services Program (VSP) staff obtains the necessary information from a victim in order to assist them, identifies the needs arising from the victimization, and provides the victim information on the services and rights available to meet those needs.

In obtaining intake information, the VSP shall attend to the cultural, language, and/or disability needs of the victim and make the appropriate accommodations.

PROGRAM REQUIREMENTS

- The VSP staff, through personal contact with the victim shall explore the victim's concerns, problems, needs, safety issues, and willingness to respond to media requests (see Media and Crisis Intervention Standards).
- The VSP staff shall obtain the necessary demographic information required by their program and/or funders, and information on how to safely contact the victim in the future.
- The VSP staff shall provide the following information to the victim, and document in writing, that it was provided:
 - o Description of the VSP, its services and purpose.
 - o Reasonable expectations from the VSP and the limits of the program.
 - o Description of the confidentiality afforded the victim and the limits of that confidentiality (see Confidential Communications Standard).
 - o Explanation of Victims' Rights and Legal Standing in Pennsylvania (see Victims' Rights Notification Standard).
 - o Information on attending any proceeding that is likely to be covered by the media (see Media Standard).
 - o How to report Victim/Witness intimidation (see Victim/Witness Intimidation Standard).
 - o Information regarding the crime victim grievance process (see Crime Victim Grievance Standard).
- The VSP staff shall determine the need for further services from the VSP and determine, with the victim, how and when these services will be provided. The VSP staff will determine the need for additional services not provided by the VSP and plan with the victim the most appropriate means to access those services.

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PRACTICE TIPS

- Maintain a method to track information given to victims.
- Intake information from the victim may include:
 - A description of the general nature of the incident which precipitated the victim's contact with the VSP. This includes all information given orally and in writing. Intake documentation should never include verbatim statements made by the victim.
 - All pertinent demographic information.
 - A determination of the victim's reading ability and level; where the victim is unable to read, a more frequent review of the information may be necessary, or a taped recording provided.
 - The names and contact information of all people with whom the victim has given informed consent for the program to speak.
- Assessing the immediate safety needs of the victim to determine:
 - If the victim is in need of immediate medical attention.
 - If the victim or victim's family member is in immediate danger? If so, is there a safe place where he or she can go until the danger passes?
 - If there is someone that the VSP staff can contact for the victim so that the victim will not be alone.
- Information for the victim should include:
 - Examples of what the program can and cannot provide for victims.
 - Other resources in the community that may be helpful to the victim.
 - How to obtain case status information where there has been law enforcement involvement.
 - How to access services.
- Contact the victim when appropriate.
 - Provide individual advocacy by speaking with the District Attorney, the juvenile probation staff, or law enforcement to inform them of the victim's concerns or needs obtained during intake
- Determine the need for additional services and the most appropriate delivery of these services.

STRIVING FOR EXCELLENCE

- VSPs shall use standardized, validated intake assessment tools.
- VSP shall use technology that supports intake processes that are compliant with privacy and confidentiality requirements. (See Use of Technology in the Provision of Services to Victims Standard).
- Responsible agencies are encouraged to enter into inter-agency agreements or a Memorandum-of- Understanding (MOU) with local, area service providers including VSPs, to obtain information relevant to and/or necessary for the intake process (i.e., personally identifiable information, information identifiable to the victim, etc.).

LANGUAGE ACCESSIBILITY STANDARD

CORE STANDARD

The purpose of this standard is to offer basic minimum requirements that are consistent with Title VI of the Civil Rights Act of 1964 for Victim Service Providers (VSP) to adhere to when providing services to and interacting with individuals who have Limited English Proficiency.

The VSP is responsible for removing language barriers that hinder effective communication and the exchange of accurate information. Ensuring clear communication benefits both the VSP and the client by fostering trust and addressing the client's needs. Appropriate accommodations will be provided for anyone requiring communication assistance.

DEFINITIONS

Bilingual. The ability to use two (2) languages fluently.

Interpretation. The act of listening to communication in one language (source language) and orally converting it to another language (target language) with the intent of retaining the same meaning.

Limited English Proficiency (LEP): Refers to individuals whose primary language is not English, and who have a limited ability to speak, read, and write, or understand English. LEP includes individuals who are hearing challenged. Individuals with LEP may exhibit competencies in certain types of communication (e.g., speaking or understanding) but exhibit deficiencies in other areas (e.g., reading and writing).

Primary language: Refers to an individual's dominant language, a person most effectively communicates. The primary language of a particular country is not necessarily the language spoken by the victim. Service providers should make every effort to ascertain an individual's primary language to ensure effective communication.

Service Provider Interpreter (SPI): Bilingual SPI has been certified to interpret for others to administer services. SPIs who have completed interpreter training will be able to:

- Demonstrate proficiency in and ability to communicate information accurately in both English and the target language;
- Comprehend the meaning of the unique vocabulary used in victim services, including the criminal justice system, and be able to translate to equivalent speech in the target language and;
- Understand and adhere to their limited role as an interpreter. SPIs should receive refresher training at least once a year.
- The SPI honors and maintains confidentiality.

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SPI List: A list of all bilingual and authorized SPI members to act and serve as interpreters.

Clients: Victims, witness, survivors, and primary caregivers of minors.

Translation: The replacement of written text from one language (source language) into an equivalent written text (target language).

PROGRAM REQUIREMENTS

- VSPs shall take appropriate measures to ensure that clients with LEP have timely and meaningful access to all services and benefits. Refer to the Program Administration Standard.
- Language Access Services offered by VSPs shall be available free of charge. VSPs shall inform clients that language services are available at no cost to them.
- The VSPs shall have written policies and procedures in place for:
 - o How the VSP will access interpretation services
 - o How the VSP staff will identify the primary language of the person (e.g., I-speak booklets)
 - o How to assist the person with LEP in contacting law enforcement or other service providers (e.g., medical care) if requested by the victim
 - o How to assist persons with LEP who have disabilities which may affect the person's ability to communicate.
- The VSP shall have written agreements with each interpretation provider that specifies the process the VSP and SPI will follow in accessing interpretation services and providing that service while also addressing VSP legal confidentiality requirements.
- Minor children cannot be interpreters for a VSP service beginning with intakes. In rare emergency situations, the agency or client may have to rely on an LEP person's family members or other persons whose language skills and competency in interpreting have not been established. Proper agency or client planning and implementation is important in order to ensure those situations rarely occur.
- The VSP shall provide a Language Accessibility policy and procedure training to employees during onboarding. The training should include the following:
 - o Demographic information on the service area, including languages spoken
 - o Accessing interpretation providers, both electronically and in-person; and
 - o Guidance (e.g., decision tree) for staff to assist in their duties with LEP individuals.

STRIVING FOR EXCELLENCE

- VSPs should have signage or other materials indicating the languages that the VSP has interpretation provider services for. In the event a person with LEP may be illiterate, they may still recognize the script of their language.
- VSPs should take reasonable steps to ensure they have a diverse pool of employees in the agency to facilitate communication efforts with clients.

MEDIA

CORE STANDARD

The Victims' Services Program (VSP) shall create and implement a media policy that educates victims, supports their choices of media interactions and provides guidance to VSP Staff regarding media relations.

PROGRAM REQUIREMENTS

Supporting Victims

- The VSP shall ensure that all victims regardless of abilities are offered guidance and support in dealing with the media including advice on when it may be in the victim's best interest to refrain from media interactions.
- The VSP shall develop written procedures for assisting victims in working with the media.
- The VSP shall assess the victim's needs and preferences in relation to possible media involvement in their case and document accordingly including procedures such as:
 - Identifying the extent that a victim may or may not wish to work with the media and providing the appropriate support.
 - Identifying the extent that a victim may or may not need a representative when interacting with the media.
 - Identifying the extent that the victim may or may not desire that the VSP act on their behalf in relation to the media and providing the appropriate support. If the victim requests the VSP to act on their behalf, written permission shall be obtained from the victim.
 - Providing relevant support resources for victims for who choose to interact with the Media. One example may be the National Center for Victims of Crime Guidelines for Dealing with the Media.
- VSPs shall have a procedure for working with the media that includes:
 - Information on the agency, victims' rights, and common issues facing victims.
 - Prohibitions from release of identifying information about a victim to the press without their written permission.
 - Supporting the victim if they have a complaint about media content including outreach to media to provide correct information or to take steps to protect victims' privacy.

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Providing Guidance to Staff and Programs

- The VSP shall encourage and support professional relationships with the media to facilitate the dissemination of information about victims' rights and services and to advocate for the fair treatment of victims by the media.
- The VSP shall have a media policy that includes:
 - Selection process for those who have media authorization to represent the VSP.
 - Procedures to follow when a reporter calls the Program:
 - The title(s) of the person(s) authorized to speak with the media in the order of authorization when one or more media authorized staff are unavailable. In the event no authorized persons are available, the procedure for handling media requests.
 - The proper handling of the media at a court proceeding.
 - The procedure to follow when:
 - Issuing a press release.
 - Issuing a press information packet.
 - Inviting press participation to a VSP sponsored event.
 - Writing a letter to the Editor or other media publication.
 - Filing a complaint against the media.
 - Orientation/support of authorized staff for interaction with the media in both positive and negative situations.

STRIVING FOR EXCELLENCE

- The VSP shall offer training and technical assistance on sensitive and ethical reporting of victim issues to the media, law enforcement and prosecutors.
- The VSP may consider media packets accessible in print or on-line with background information on the agency, including that services are provided at no cost to the victim, general statistics- local and national, and an ethical storytelling guide that provides tips for developing a victim sensitive story for media distribution/ publication.
- VSPs shall coordinate with other agencies as needed to support victims. This may include the District Attorney's Office, Department of Corrections, PA Board of Probation and Parole and the Juvenile Probation Department.

ADDITIONAL RESOURCES:

- PA Office of Victim Advocate- Guide for Survivors who are Working with the Media. [Resources \(pa.gov\)](#)
- [Resources for the Media | Mission Kids Child Advocacy Center \(missionkidscac.org\)](#)
- [Media Professionals – Center for Relationship Abuse Awareness & Action \(stoprelationshipabuse.org\)](#)

OUTREACH

CORE STANDARD

Outreach is the process that identifies and establishes contact with victims, provides information about available services, including the Victims Compensation Assistance Program. The Victims' Services Program (VSP) shall make the community at large aware of its services.

PROGRAM REQUIREMENTS

Victim Outreach

- To avoid duplication of services, the VSP shall collaborate amongst other relevant VSPs in the service area to determine which agency will conduct initial outreach to victims.
- The VSP shall establish a written process to identify victims and initiate contact with them. The process shall include a time-related benchmark for achieving contact with the victim in a timely manner, ideally within 72 hours after the VSP has been made aware of the crime and being made aware of the victim's information.
- The VSP shall develop a process to acquire information about the crime by establishing a system with appropriate departments (i.e., law enforcement, Magisterial District Judge's offices, District Attorney's office and/or the Juvenile Probation Department) to be notified of information such as preliminary hearings, allegations of delinquency, etc.

Community Outreach

- The VSP shall provide community outreach and materials etc. within its service area to aid in:
 - Sensitizing the community to the issues of victimization and the impact of victimization on the individual and communities.
 - Referral of victims of crime to the VSP.
 - Notification of Victims' rights
 - Notification of Victims compensation
- The VSP shall develop resources describing victim services and distribute them to all law enforcement, Juvenile Probation Departments, Magisterial District Judge's offices, hospitals, etc. within the VSP area.
- The VSP shall provide local, county, and state police with information explaining the services available to victims, the early outreach effort, and the established method for accessing victim assistance.
(See Cultural Responsiveness and Language Accessibility Standards)

PRACTICE TIPS

- When establishing initial contact:
 - Address all areas of immediate concern to victims, including, but not limited to safety and security issues, counseling needs, out-of-pocket losses, orientation to the criminal justice system and/or the juvenile system, and property return.
 - Ensure that all program staff are sensitive to the safety and privacy issues of victims, the goal of which is to prevent further victimization (see Crisis Intervention Standard.)

STRIVING FOR EXCELLENCE

- The VSP should be an integral part of the service area plan for facilitating early outreach to all victims to include on-the-crime-scene response and the aftermath.
- The VSP should collaborate with diverse community groups to develop crime prevention strategies and responses to crime.
- The VSP should have the ability to develop resources and educational materials. This includes researching, writing, and working collaboratively with allied professionals.
- The VSP should create educational resources that translate the dynamics of victimization for allied professional audiences.

PRIOR COMMENT

CORE STANDARD

The Victims' Services Program (VSP) shall have, in conjunction with the District Attorney's Office and the Juvenile Probation Department, a written process for victims to submit prior comment in all juvenile and adult criminal matters concerning, but not limited to, the potential reduction or dropping of a charge, plea agreements, or case diversions including referrals to restorative practices, specialty courts, Accelerated Rehabilitative Disposition (ARD), informal adjustment, or consent decree (as required in the Crime Victims' Act).

PROGRAM REQUIREMENTS

- The VSP shall seek to work collaboratively with the District Attorney and Juvenile Probation Department to obtain timely information pertaining to court actions and/or the disposition of the charges and to advocate for victims' right to provide prior comment. (e.g., Bail Setting throughout the process to Post Depositional matters).
- The VSP staff shall have a written prior comment policy that includes:
 - Educating victims on how to provide Prior Comment and assure them that their comments are given to the District Attorney, Juvenile Probation Department, and the Court.
 - Explaining that the final decision is that of the District Attorney, Juvenile Probation Department, and/or the court.
 - Providing information that helps victims understand the final decision of the District Attorney, Juvenile Probation Department, and/or the court.
 - Facilitating communication between victims and the District Attorney, Juvenile Probation Department, and/or the court for any further clarification on disposition decisions.

PRACTICE TIPS

- Create a resource referencing the various rights under the Crime Victims Act that may be shared with the District Attorney, Juvenile Probation Department, victims, VSP staff, and various other key stakeholders.
- Have conversations with victims regarding their prior comment during multiple points during their case.

STRIVING FOR EXCELLENCE

- Remember that soliciting prior comment can help the victim process their own feelings about what happened. Early in the process, start with big picture questions about what they'd like to see happen and then go into further detail throughout the life of the case.

PROGRAM ADMINISTRATION

CORE STANDARD

Program administration maintains and regularly reviews plans and processes that allow for successful services to be developed and delivered, identifies funding sources, and aligns those resources and services with established program performance measures. Program administration shall provide adequate resource supports and necessary guidance to program staff to effectively support victims of crime.

PROGRAM REQUIREMENTS

- Victims' Services Program (VSP) administration shall interpret and implement policies into tasks and practices that staff are expected to fulfill. There are six aspects of program administration:
 - o Accessibility.
 - o Fiscal Management.
 - o Governance of Non-Profit Organizations.
 - o Personnel Management.
 - o Program Planning and Evaluation.
 - o Recordkeeping.

A. ACCESSIBILITY

CORE STANDARD

The VSP, its services and information shall be accessible to all individuals.

PROGRAM REQUIREMENTS

- The VSP shall have written policies that comply with all federal and state statutes prohibiting discrimination including:
 - o Americans with Disabilities Act – (42 U.S.C.S. § 12101, *et seq.*) which prohibits discrimination on the basis of disability in the delivery of services and employment practices.
 - o Pennsylvania Human Relations Act – (43 P.S. § 951, *et seq.*)
 - o Rehabilitation Act – (29 U.S.C.S. § 794) which prohibits discrimination on the basis of disability in the delivery of services and employment practices.
 - o Title VI of the Civil Rights Act, 42 U.S.C § 2000d which prohibits discrimination on the basis of race, color, or national origin in the delivery of services. This also includes failing to provide meaningful access to individuals who are limited English proficient (LEP) (See Language Accessibility Standard).
 - o The Omnibus Crime Control and Safe Streets Act of 1968 which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices.
 - o The Age Discrimination Act of 1975 (42 U.S.C. § 6102) which prohibits discrimination on the basis of age in the delivery of services.

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- o Pennsylvania Executive Order 2016-04 (prohibiting discrimination based on race, color, religious creed, ancestry, union membership, age, gender, sexual orientation, gender identity or expression, national origin, AIDS or HIV status, or disability).
- o Violence Against Women Act (VAWA) of 1994, as amended, 34 U.S.C. § 12291(b)(13) (prohibiting discrimination in programs either funded under the statute or administered by the Office on Violence Against Women, both in employment and in the delivery of services or benefits, based on actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, and gender identity).
- o Victims of Crime Act (VOCA) of 1984, as amended, 34 U.S.C. § 20110(e) and the regulation implementing the Victim of Crime Act Victim Assistance Program, 81 Fed. Reg. 44,515, 44,532 (July 8, 2016) (to be codified at 28 C.F.R. § 94.114) (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, religion, and disability);
- o Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974, as amended, 34 U.S.C. § 11182(b), and the DOJ implementing regulations, 28 C.F.R. §§ 31.202, .403 & pt.42, subpt. D (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, and religion).
- The Program shall have a cooperative relationship and/or Memorandums of Understanding (MOU) with other organizations/institutions that provide specialized services. These MOUs shall include information that those included in the MOU shall abide by these state and federal regulations noted under #1.
- All VSPs shall:
 - o Post non-discrimination notices as required by the Pennsylvania Human Relations Act.
 - o Be fully accessible to people with physical disabilities, including those who use wheelchairs.
 - o Provide auxiliary aids and services for persons with vision, hearing or speaking impairments (e.g., sign language interpreters, brailled texts, TDD, augmented phones or written information) at no cost to the victim to ensure that communications with persons with disabilities are as effective as communications with others.
 - o Make reasonable modifications to policies and practices when necessary to accommodate persons with cognitive, behavioral, or other disabilities. (See generally, 28 C.F.R. § 35.101 et seq.)
 - o Require signed confidentiality agreements with all who provide interpretation, signing, Braille or taped materials.
- The VSP shall establish and implement policies and procedures for language assistance services that provide persons with LEP with meaningful access. (See Language Accessibility Standard)

PRACTICE TIPS

- To accommodate those individuals with physical disabilities, the VSP should be located in buildings that are wheelchair accessible/barrier-free. If that is impossible, services shall be provided to the individual in an alternate location that meets the confidentiality level of the service(s) provided. If the service is a group service, such as a victims' support group, the group should be relocated to an accessible location to ensure that the individual with a disability has the full benefit of the service as required by the Act.
- Ensure that the VSP provides culturally competent services for its service area (See Cultural Responsiveness Standard).

B. FISCAL MANAGEMENT

CORE STANDARD

The VSP shall have financial policies in compliance with all statutes, regulations, and requirements of these Standards.

PROGRAM REQUIREMENTS

- The VSP shall comply with the following Audit requirements as shown in [PCCD's Applicant's Manual](#).
 - o **State funds** - PCCD, in its sole discretion, may undertake an inspection and/or audit of the financial records of the Applicant relating to the Subgrant Project. The Applicant shall provide PCCD with full and complete access to all records relating to the performance of the Subgrant Project and to all persons who were involved in the Subgrant Project. PCCD may also require, as a condition of award, that an independent financial audit be completed.

Submission of Audit Reports Other than Single Audit Reports

Audit reports other than Single Audit Reports which are required by PCCD may be submitted electronically to RA-PCCDAuditReports@pa.gov or by mail to:

Pennsylvania Commission on Crime and Delinquency
Office of Financial Management and Administration
P.O. Box 1167
Harrisburg, Pennsylvania 17108-1167

- o **Federal Funds** - The Applicant shall comply with all federal and state grant audit requirements including The Single Audit Act Amendments of 1996; 2 CFR Part 200 as amended; and any other applicable law or regulation, and any amendment to such other applicable law or regulation which may be enacted or promulgated by the federal government.

If the Applicant is a local government or non-profit organization and expends \$750,000 or more in federal awards during its fiscal year, the Applicant is

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required to provide the appropriate single or program specific audit in accordance with the provisions outlined in 2 CFR Part 200.501.

If the Applicant expends total federal awards of less than the threshold established in 2 CFR 200.501, it is exempt from federal audit requirements for that year, but records shall be available for review or audit by appropriate officials (or designees) of the federal agency, pass-through entity, and Government Accountability Office (GAO).

If the Applicant is a for-profit entity, it is not subject to the auditing and reporting requirements of 2 *CFR Part 200, Subpart F – Audit Requirements (Subpart F)*. However, the pass-through commonwealth agency is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. The contract with the for-profit subrecipient should describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for federal awards made to for-profit subrecipients may include pre-award audits, monitoring during the contract, and post-award audits. The post-award audits may be in the form of a financial audit in accordance with *Government Auditing Standards*, a single audit report, or program-specific audit report in accordance with *Subpart F*. However, these post-award audits shall be submitted directly to the affected commonwealth agency that provided the funding. Only single audit reports for local governmental and non-profit subrecipients are electronically submitted to the Federal Audit Clearinghouse.

ADDITIONAL POTENTIAL COMPONENTS OF THE SINGLE AUDIT REPORTING PACKAGE

In instances where a federal program-specific audit guide is available, the audit report package for a program-specific audit may be different and should be prepared in accordance with the audit guide, *Government Auditing Standards*, and *Subpart F*.

In addition to the requirements of *Subpart F*, commonwealth agencies may require that the single audit reporting packages include additional components in the SEFA, or supplemental schedules, as identified through the respective grant agreement.

Instructions and information regarding submission of the single audit/program-specific audit reporting package are available to the public on Single Audit Submissions page of the [Office of the Budget website](#). The reporting package shall be submitted electronically in single Portable Document Format (PDF) file to RA-BOASingleAudit@pa.gov.

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In accordance with 2 CFR 200.510, PCCD requires that PCCD grant numbers and amounts expended for each PCCD award be individually identifiable on all Single Audit Report Schedules of Expenditures of Federal Awards.

STEPS FOR SUBMISSION

The Applicant's submission responsibilities are as follows:

Submit the Single Audit or Program-Specific Audit Report to the Federal Audit Clearinghouse (FAC) and receive an email confirmation of receipt from the FAC.

- Complete the Single Audit/Program Specific Audit Reporting Checklist to ensure your package contains all required elements. A fill-in version of the checklist can be found on the [Commonwealth's Bureau of Audits \(BOA\) website](#).
- Email the FAC confirmation of receipt, a certified copy of the data collection form, and the completed Checklist (PDF) to RA-BAFMSingleAudit@pa.gov. The subject line of the email shall identify the exact name on the Single Audit or Program-Specific Audit Reporting Package and the period end date pertaining to the reporting package.
- The Applicant will receive an email from BOA confirming the receipt of the FAC's confirmation, the certified copy of the data collection form, and the completed Checklist.

AUDIT OVERSIGHT PROVISIONS

The Applicant is responsible for obtaining the necessary audit and securing the services of a certified public accountant or other independent governmental auditor.

The Commonwealth reserves the right for federal and state agencies or their authorized representatives to perform additional audits of a financial or performance nature, if deemed necessary by Commonwealth or federal agencies. Any such additional audit work will rely on work already performed by the Applicant's auditor and the costs for any additional work performed by the federal or state agencies will be borne by those agencies at no additional expense to the Applicant.

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Audit documentation and audit reports shall be retained by the Applicant's auditor for a minimum of five years from the date of issuance of the audit report, unless the Applicant's auditor is notified in writing by the Commonwealth, the cognizant federal agency for audit, or the oversight federal agency for audit to extend the retention period. Audit documentation will be made available upon request to authorized representatives of the Commonwealth, the cognizant federal agency for audit, the oversight federal agency for audit, the federal funding agency, or the Government Accountability Office.

Please Note: Audits not required by 2 CFR Part 200 are not chargeable to federal programs/subgrants.

- **Accounting System Requirements:**

The subgrantee shall maintain an accounting system that properly and accurately documents and controls the receipt and disbursement of project funds. The objectives of the project accounting system are to provide the subgrantee with needed management information and financial controls and to record and present historical financial information in an organized manner. Subgrantees are encouraged to use their established financial procedures, providing these procedures permit verification of compliance with the fiscal requirements of PCCD subgrants.

The subgrantee's accounting system shall provide effective financial controls. Unless commonly accepted standards of financial responsibility have been followed, **audits may result in the disallowance of expenditures, creating a refund liability on the part of the subgrantee.**

The subgrantee is obligated to manage all financial affairs of the subgrant in compliance with accepted accounting procedures and in conformance with applicable federal, state, and local guidelines. The subgrantee shall establish and assure that all project funds are properly accounted for and disbursed in accordance with applicable regulations. Subgrantees shall maintain documents to support all transactions and should include purchase orders, receiving records, paid invoices, cancelled checks, personnel, payroll, time and attendance records, and other evidence to support expenditures.

- Accounting system and records should identify receipts of funds from all sources and disbursement of funds by expenditure type, and payee and should be summarized in cash receipts and disbursement journals.
- Accounting system documentation shall be able to identify revenue and expenditures for each PCCD grant separately from all other revenue and expenditure sources.
- Entries in accounting records should refer to subsidiary records and documentation that support the entry.
- Information should be cross-referenced to provide a clear audit trail.

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The subgrantee is responsible for establishing and maintaining an adequate system of accounting and internal controls for itself. An acceptable and adequate accounting system shall provide for the following:

- Identification, in its accounts, of all subgrant awards received and expended and the Federal and State programs under which they were received. Federal program and Federal award identification shall include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.
 - Accurate, current, and complete disclosure of the financial results of each subgrant award or program in accordance with the reporting requirements set forth in 2 CFR 200.327 Financial reporting and 200.328 Monitoring and reporting program performance.
 - Records that identify adequately the source and application of funds for all subgrant activities. These records shall contain information pertaining to Federal and State awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
 - Effective control over, and accountability for, all funds, property, and other assets. The subgrantee shall adequately safeguard all assets and assure that they are used solely for authorized purposes.
 - Comparison of expenditures with budget amounts for each subgrant award.
 - Written procedures to implement the requirements of 2 CFR 200.305 Payment.
 - Written procedures for determining the allowability of costs in accordance with 2 CFR 200 Subpart E—Cost Principles and the terms and conditions of the Federal award.
- **Obligation and Expenditure of Funds**

An obligation occurs when funds are encumbered, such as in a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the start date and up to the last day of the grant period in the award. Any funds not properly obligated by the subgrantee within the grant award period will lapse and revert to the awarding agency. No funds may be obligated or expended prior to the official start date.

All project funds shall be obligated by the termination date of the project. All project funds legally obligated by the termination date shall be expended within 60 days of the termination date. All funds that are not obligated and/or expended as indicated shall be returned to PCCD.

- **Property Inventory Records**

Records shall be maintained for each non-expendable item of personal property that costs \$5,000 or more and has a useful life of one year or more. As equipment or other non-expendable property is purchased and received, a property inventory record should be completed and made a part of the permanent subgrant file. The following is required for all equipment or other non-expendable property purchases:

- o A property inventory record shall be kept and include the following items:
 - Property description
 - Serial or other identification number
 - Source of funding for the property including the grant award number
 - Who holds the title to the property
 - Inventory quantity
 - Date acquired
 - Cost
 - Percentage of PCCD grant participation in the project costs under which the property was acquired
 - Location of property
 - Use and condition of property
 - Employee assigned to use the equipment (if applicable)
 - Ultimate disposition data including the date of disposal and sale price of the property
- o A physical inventory of the property shall be taken, and the results reconciled with the property records at least once every two years.
- o A control system shall be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated.
- o Adequate maintenance procedures shall be developed to keep the property in good condition.
- o If the non-Federal entity is authorized or required to sell the property, proper sales procedures shall be established to ensure the highest possible return.

Upon completion of a project, refer to the Title to Subgrant-funded property section the [PCCD's Applicant's Manual](#), Page 37, for instructions for disposal of this non-expendable property.

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- **Vendor Invoices**

At a minimum, the following items should be included on invoices the subgrantee receives from vendors/subcontractors involved in the subgrant project:

- o Payee
- o Invoice date
- o Invoice number
- o Description of each product and/or service provided to the subgrantee.
- o Unit price of each product and/or service provided to the subgrantee.
- o Total amount for each product and/or service
- o Total invoice amount
- o Time and effort reports (timesheets) are required as supporting documentation for individual consultant expenditures.

PRACTICE TIPS

- There are a variety of resources that can provide additional information including: [Handbook for Charitable Nonprofit Organizations](#) by the Pennsylvania Office of Attorney General; Pennsylvania Nonprofit Handbook by Gary Grobman.
- The following are resources that provide information specifically on disaster planning: [Emergency Management Guide for Business and Industry](#) by the Federal Emergency Management Agency; ([Disaster Preparedness Planning Guide for Facilities](#) and [Evacuation Planning and Implementation Guidebook](#)).

STRIVING FOR EXCELLENCE

- Establish a fund-raising policy that addresses the proportion of money that will be spent to raise money. For instance, the Pennsylvania Association of Nonprofit Organizations requires a five-year average fund-raising ratio greater than three to one in its Standards for Excellence program. This means that for every three dollars earned in fund raising activities such as letters, events, raffles, the cost to do all fundraising activities would be not more than one dollar. For example, the total costs to the agency for a direct mail campaign, special event, and raffle is \$1,500. Total money raised \$5,000. The ratio is 3.3. The amount raised is divided by the total cost.
- Establish a means for employees to report suspected financial impropriety or misuse of organizational resources.
- Establish written policies on investments of assets and the use of reserve funds.

C. GOVERNANCE OF NON-PROFIT ORGANIZATIONS

CORE STANDARD

Non-profit VSPs shall be governed by a Board that is consistent with Pennsylvania law and these standards, or those of MADD, PCADV, or PCAR.

PROGRAM REQUIREMENTS

By-laws

- The governing body shall create by-laws that include, but not limited to, provisions for:
 - Conflict of interest related to relationships or actions that might conflict with the best interests of the agency and such relationships and actions might result in the use of assets, business, or activities of the agency.
 - Liability and Insurance Requirements.
 - Regularly scheduled meetings.
 - Calling and conducting special meetings.
 - Taking and transcribing of minutes.
 - Quorum requirements.
 - Selection, succession and duties of chairperson and officers.
 - Size and duties of Board membership (specify minimum and maximum number of members), including selection, term limits of members and removal of members.
 - Fiduciary oversight.
 - Appointing a Chief Executive, including notification to PCCD of change in temporary or permanent executive leadership within 10 days.
 - Conducting an annual performance evaluation of the Chief Executive.
 - Regular review of by laws that is clearly stated with a time frame when review will take place.

Board Members shall:

- Be representative of the community, its strengths, diversities, challenges, and opportunities.
- Be representative of victims and survivors of crime.
- The board members shall be responsible for adhering to the agency's mission and maintaining the fiscal and programmatic vitality of the Program.

In cases in which the VSP resides within a larger organization, the VSP shall have an Advisory Board. The Advisory Board shall adhere to the board member standards, be a functioning committee of the Board of Directors and have at least one voting member from the Board of Directors on the committee.

Program Dissolution

PCCD will be notified within 48 hours of the Board of Director's decision to close the program/agency.

PRACTICE TIPS

The VSP should require its board members or advisory board members to:

- Be representative of victims and survivors of crime.
- Demonstrate a commitment to base all policy decisions on the core values of these standards and the mission of the agency.
- Attend an initial orientation that includes:
 - The history of the development of victim services in Pennsylvania.
 - A review of the core values and philosophical framework of victim services and the mission of the agency.
 - Training on the dynamics of victimization.
 - An overview of the VSP that includes the role of board members, philosophy, mission and services, structure and organization, goals, objectives, challenges and opportunities, and finances.
- Receive an annual update of critical issues for victim services in the country or community.
- Complete a Pennsylvania State Police Criminal Background Check pursuant to 18 Pa. C.S Ch. 91 (relating to criminal history record information)

D. PERSONNEL MANAGEMENT

CORE STANDARD

The VSP shall have written personnel and volunteer policies in compliance with all statutory and regulatory requirements and requirements of these standards.

PROGRAM REQUIREMENTS

- All VSP employees shall be governed by personnel policies adopted by their respective hiring authority.
- The VSP shall have a written policy regarding the ongoing supervision of each program employee and conduct written annual performance evaluations for all employees and volunteers, including supervisors and program administrators.
- VSP employees shall be selected from a field of eligible applicants. Candidates shall be hired according to the personnel policies of the organization.
- The VSP shall have a written policy to periodically evaluate compensation and employee benefits.
- Personnel records for paid employees shall include:
 - Date of hire.
 - Salary history.
 - Receipt of employee manual or personnel policy information.
 - Signed job description: including a general description of the position; who the employee reports to and/or supervises; and a list of specific responsibilities, expectations, and functions.
 - A Pennsylvania State Police Criminal Background Check pursuant to 18 Pa. C.S Ch. 91 (relating to criminal history record information) for all employees/volunteers who have direct contact with clients.

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- Agencies shall have written policies and procedures for making determinations of suitability before certain individuals may interact with participating minors ([Pennsylvania's Child Protective Services Law and Federal Condition Suitability to Work with Minors](#)).
- Agency policies and procedures shall include the process by which the agency ensures that determination of suitability to interact with participating minors is assessed for any position funded in whole or in part with federal and state funds. For additional information, please click [Employees Having Contact with Children FAQs](#).
 - "Interaction" with a minor includes physical contact, oral and written communication, and the transmission of images and sound, and may be in person or by electronic (or similar) means. "Interaction" does not include:
 - i. Brief contact that is both unexpected by the subrecipient and unintentional on the part of the covered individual -- such as might occur when a postal carrier delivers mail to an administrative office.
 - ii. Personally-accompanied contact -- that is, infrequent or occasional contact (for example, by someone who comes to make a presentation) in the presence of an accompanying adult, pursuant to written policies and procedures of the subrecipient that are designed to ensure that -- throughout the contact -- an appropriate adult who has been determined to be suitable pursuant to this condition will closely and personally accompany, and remain continuously within view and earshot of, the covered individual.
 - The policy shall address the following will take place:
 - i. Documentation that demonstrates that following public sex offender and child abuse website/registries were checked:
 - a. [Dru Sjodin National Sex Offender Public Website](#)
 - b. The website/public registry for each state in which the individual lives, works, goes to school, or has lived, worked, or gone to school at any time during the past five years. This includes the [PA Megan's Law website](#).
 - c. The website/public registry for each state in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the grant award. This includes the [PA Megan's Law website](#).

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- ii. At a minimum, documentation that the following background checks were completed: (Helpful information may be obtained at [Keep Kids Safe \(pa.gov\)](http://KeepKidsSafe.pa.gov))
 - a. The criminal history registry for each state in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years. This will include an individual's [Pennsylvania Child Abuse History Clearance](#) and [Pennsylvania State Police Criminal History Clearance](#), and for all employees and some volunteers, a [FBI Criminal History Clearance](#). Please note that for the purposes of meeting federal funding requirements, FBI clearances will be required for volunteers when an individual has not resided in the state within the past 5 years.
 - b. The criminal history registry for each state in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award. This includes an individual's [Pennsylvania Child Abuse History Clearance](#) and [Pennsylvania State Police Criminal History Clearance](#), and all employees and some volunteers the [FBI Criminal History Clearance](#).
- iii. A determination of suitability to interact with a minor is prohibited if:
 - a. Withholds consent to a criminal history search required by this condition;
 - b. Knowingly makes (or made) a false statement that affects, or is intended to affect, any search required by this condition;
 - c. Is listed as a registered sex offender on the [Dru Sjodin National Sex Offender Public Website](#);
 - d. To the knowledge of the subrecipient, has been convicted -- whether as a felony or misdemeanor -- under federal, state, tribal, or local law of any of the following crimes (or any substantially equivalent criminal offense, regardless of the specific words by which it may be identified in law):
 - o sexual or physical abuse, neglect, or endangerment of an individual under the age of 18 at the time of the offense;
 - o rape/sexual assault, including conspiracy to commit rape/sexual assault;
 - o sexual exploitation, such as through child pornography or sex trafficking;
 - o kidnapping;
 - o voyeurism; or
 - o Is determined by a federal, state, tribal, or local government agency not to be suitable.
- iv. Documentation that the written determination, is made prior to a covered individual interacting with minors. Determinations shall be made within 6 months of completing the required searches, completed again upon learning information that may suggest unsuitability and renewed at least every 5 years.

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- v. Tax forms
 - vi. [I-9 Employment Eligibility Verification](#)
 - vii. Resume and/or application
 - viii. Training information
 - ix. Written and signed probationary and annual evaluations by both the employee and supervisor.
 - x. Disciplinary and/or grievance proceedings.
 - xi. Date of termination.
 - xii. Signed statement attesting that the employee has received and read the Victims' Services Code of Ethics
- Each position shall have a written job description that contains essential functions and qualifications.
 - The VSP shall have a policy on how job descriptions are created, revised and approved. Each employee, or volunteer, shall receive a copy of their job description and have an opportunity to review it with their supervisor prior to beginning work, and when revisions are made.
 - Job announcements shall be prepared and posted in locations/advertised in designated areas likely to reach a diverse pool of potential candidates. All job announcements will contain the necessary equal opportunity employment (EOE) provision.
 - When a VSP uses volunteers, it shall have a written volunteer policy that addresses recruitment, selection, screening, training, confidentiality, work rules, supervision, evaluations, grievance procedures, and dismissal.
 - The VSP shall have a written policy to assist employees who are experiencing vicarious trauma, disclose victimization, and are requesting assistance.

PRACTICE TIPS

Job Hiring and Interviews

- For employees/volunteers who have lived in the state less than 7-years, VSP should obtain an FBI clearance as well.
- The VSP should prepare job announcements that contain the following information: position title, essential functions, qualifications, employment location, how to apply, and response deadline. Listing of the salary/salary range in the job announcement is at the discretion of the VSP or the County.
- For guidance on lawful questions to ask candidates during an interview, consult *Pre-employment Inquiries* from the Pennsylvania Human Relations Commission.
- Verify resume (i.e., provide education certification/diploma; license certification verification, etc.).
- VSPs should strive to compensate employees commensurate with training, experience, ability, and responsibility which reflect the high level of expertise required for the position.

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Employee Supervision

- Supervision with VSP employees should allow for regular/ongoing discussion of successes, difficulties, challenges, and the identification that personal feelings have in enhancing or interfering with providing effective victim-centered and support services.
- Provide meaningful opportunities for employees to have input into the work and services offered through the Program; document the outcomes of each meeting and utilize the information in the employee's annual performance evaluation.
- Provide supervisors with HR resources and conduct meetings to discuss HR issues, as necessary.

Performance Evaluations – Employees

- The annual performance evaluation should cover:
 - Reviewing employee's job description and recommend updates as required.
 - The employee's ability to complete required paperwork and manage workload effectively.
 - The employee's ability to work cooperatively with others, thus providing effective services to victims and achieving objectives contained within annual work plans.
 - The employee's ability to make ethical decisions.
 - The employee's ability to maintain professional integrity.
 - The employee's ability to utilize resources to manage stress and manage vicarious trauma (self-care).
 - The impact that training opportunities and ongoing education has made.
 - Identifying training needs in the upcoming year.

Performance Evaluations – Executive Directors/Supervisors/Administrators

- The VSP should conduct annual performance evaluations, which measure the supervisor's ability to manage employees under their supervision and fulfill the requirements of the position (e.g., complete necessary paperwork; manage workload; achieve objectives contained within the Programs annual work plan).
- The performance evaluation should evaluate the individual's ability to work cooperatively within the VSP and externally with community services and partners.
- The performance evaluation should review the individual's ability to make sound, ethical decisions and maintain professional health by utilizing stress management and vicarious trauma resources.

Personnel Policies

The VSP should have in place personnel policies that include, but are not limited to, the following:

- Recruitment
- Selection
- Employment Classifications
- Diversity
- Orientation
- Transfer
- Promotion
- Benefits
- Discipline
- Grievance Procedures/Dispute Resolution
- Annual Performance Evaluations
- Layoff Procedures
- Termination Procedures
- Training
- Appropriate Use of Technology
- Supervision

STRIVING FOR EXCELLENCE

- The VSP shall strive to advance the professionalism of its staff, including the provision of staff development and training programs, salaries, benefits, and other supports appropriate to a professional workforce.
- The supervisor/administrator should regularly demonstrate the transference of knowledge acquired from ongoing training, educational opportunities and innovative field practices back into the workplace.

E. PROGRAM PLANNING AND EVALUATION

CORE STANDARD

The Victims' Services Program (VSP) shall regularly plan and evaluate their program services to establish core goals and objectives, determine effective and efficient delivery of services, and identify future programmatic, personnel, technological, or fiscal needs.

PROGRAM REQUIREMENTS

- The VSP shall have a plan that assesses program services and builds program accountability.
- Annually, the VSP shall update the list of its needs including volunteers, supplies, and equipment and potential sources to fund or meet those needs.
- The VSP shall have a mechanism to collect feedback from clients.

STRIVING FOR EXCELLENCE

- **Strategic Planning**

Create a strategic plan within the philosophical framework of these standards and consistent with the mission of the VSP that will:

- Re-examine the goals and objectives of the agency.
- Engage in a thorough analysis of trends in crime and victimization nationally and locally.
- Based upon the outcome of the re-examination, analysis and needs assessment:
 - Strengthen those services that prove most effective and most needed by the community.
 - Amend or eliminate those services that have lost their effectiveness or do not serve the needs of the community.
 - Utilize current research and input from the community to create and implement innovative practices that promise to offer effective intervention and prevention.
- Establish a procedure to suggest amendments, improvements, or deletions to the next strategic plan.

- **Needs Assessment**

Conducting local needs assessments are an integral part of developing an effective strategic plan for the VSP. A local needs assessment is designed to:

- Determine the areas requiring the most attention;
- Elicit input from clients and the community at large to assess program effectiveness and guide program planning;
- Compare the work of the VSP with the needs of the community; and
- Determine how well the program or service is working over time.

F. RECORD KEEPING

CORE STANDARD

The Victims' Services Program (VSP) shall utilize a record keeping system that provides effective documentation of all service provision to victims and grant management data. The Program shall submit all reports required by funders in an accurate and timely manner.

PROGRAM REQUIREMENTS

- The VSP shall maintain a record-keeping system that documents, organizes, and stores the results of intake assessment, service planning data, and the writing and submission of required reports.
- The VSP shall review and update all active client files at least once every six months.
- The VSP shall have a written policy on providing client access to records.
- The VSP shall implement a policy for the retention and destruction of all closed and inactive client files.

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- The VSP shall ensure that any statistical information maintained for fulfilling requirements is treated in a confidential manner.
- The VSP shall have a process to collect victim's complaints about victims' rights violations and forward to the Office of the Victim Advocate.
- The VSP shall retain all records concerning a PCCD-funded project including financial, statistical, property, and participant, and supporting documentation in accordance with [PCCD Applicant's Manual](#).

PROPERTY RETURN

CORE STANDARD

The Victims' Services Program (VSP) shall advocate for the expeditious return of property taken as evidence to the victim.

PROGRAM REQUIREMENTS

- The VSP shall ensure that the victim is informed of the opportunity to receive released property, its potential impact on future court proceedings and advocate that the victim's decision is honored.
- Upon request of the victim, and in cases of returning the property prior to adjudication, trial, or disposition of the case, the VSP shall:
 - Identify the property to be returned,
 - Find out the property's location, including who seized the property and why,
 - Determine the status of the case in the justice system,
 - Advocate for the return of the property.
- If property has been photographed and returned to the victim before the final disposition of the case, the VSP shall inform the victim of any and all rules and regulations regarding the maintenance of the property for possible future use as evidence.
- When the property cannot be released to the victim prior to final disposition of the case, the VSP shall provide information to the victim as to when the property will likely be returned and the procedures for the return of their property.

PRACTICE TIPS

- If the property cannot be returned in a timely manner to the victim, advocate that the evidence is maintained in a secure fashion.
- If the evidence is on digital devices and can be downloaded, advocate for prompt return of those devices.
- If it is determined the devices cannot be returned advocate for return of personal files on those devices.
- In cases where evidence can't be returned in a timely manner, provide opportunity for the victim to meet with law enforcement and/or prosecution to help victim understand why and when/if they may expect a return.

STRIVING FOR EXCELLENCE

- The VSP shall seek to work collaboratively with the District Attorney and law enforcement officers to establish uniform cross-system procedures for the management and prompt return of property.

RELEASE, TRANSFER AND ESCAPE NOTIFICATION

CORE STANDARD

The VSP shall notify personal injury rights crime victims, of their right to receive notification, if requested, of the transfer, discharge, death, escape, home passes or release of an offender in custody.

Note: PA SAVIN [PA Savin/Offender Notification](#) Pennsylvania's Statewide Automated Victim Information and Notification provides, no-cost, automated victim notifications of any offender released from a state prison, county jail, or other facility (e.g. community corrections center). Additionally, PA SAVIN provides transfer and escape notifications of adult offenders.

PROGRAM REQUIREMENTS

County Correctional Facility

- If a VSP is responsible for notification under the Crime Victims Act:
 - The VSP shall have a system to provide notification to crime victims of their right to receive inmate release notification from the county correctional facility and work release, furlough, parole, or release from a community corrections center placement.
 - The VSP shall maintain a supply of county correctional facility registration forms if online registration is unavailable.
 - The VSP notifications shall include victims whose offender is serving a state sentence in a county correctional facility. (Dual registration is required with the Office of Victim Advocate (OVA) and the county correctional facility).
 - The VSP shall assist victims as needed with PA SAVIN registration and/or other appropriate notification system (s) and services.
- If a VSP does not provide notification services to victims under the Crime Victims Act:
 - The VSP shall provide victims with information on the notification services available through other VSPS.
 - The VSP shall offer direction, assistance, and support in helping victims enroll in notification programs and services (e.g., PA SAVIN). This includes providing direct assistance in helping victims register with the OVA's Notification Program and with other programs and agencies considered appropriate.

State Correctional Facility

- If a VSP is responsible for notification under the Crime Victims Act:
 - The VSP is required to have training on the sentencing and post-sentencing rights of crime victims.
 - The VSP shall provide contact information of victims in State Correctional Institutions (SCI) sentenced cases to OVA and shall provide basic information about OVA to victims to include registration information through [Register to Received Crime Victim Services with the Office of Victim Advocate \(OVA\) Commonwealth of Pennsylvania](#).
 - The VSP shall notify eligible victims of their post sentencing rights. These rights include the right upon request to receive notification of and to provide input into the release decisions made by the Department of Corrections and the Board of Probation and Parole through the OVA. After providing OVA with victim contact information for SCI sentenced cases, OVA shall notify eligible victims of their post sentencing rights. These rights include the right upon request to receive notification of and to provide input into the release decisions made by the Department of Corrections and the Board of Probation and Parole.
 - The VSP shall provide notification to victims whose offender is serving a state sentence in a county jail. Victims will be provided with both the local correctional facility's enrollment brochure as well as the OVA's enrollment brochure if online registration is unavailable. (Dual registration is required with the OVA and the county jail.)
 - The VSP shall upon request of the victim, provide assistance in preparing the victim's written or oral statements.
 - The VSP shall upon request of the victim, provide accompaniment with the victim is providing in-person testimony to the Board of Probation and Parole. The OVA shall provide accompaniment when the victim is providing in-person testimony to the Board of Probation and Parole and upon request of the victim, the VSP shall provide accompaniment as well.

Escape and Re-Apprehension (Pre- and Post-Sentencing/Adjudication)

- The VSP, in conjunction with the District Attorney's Office and/or Juvenile Probation Department, shall develop a policy to provide victims immediate notice of an escape and re-apprehension of an adult or juvenile.
- The VSP shall establish a system with the Juvenile Probation Department to be notified of all escapes (including failure to return from temporary leave and home passes). This system shall include:
 - How the party responsible for the notification will receive and disseminate information.
 - How the VSP will receive information about the escape.
 - How the Program will be informed that the victim received notification.
 - A timeline for when the victim will receive the escape and re-apprehension notification.

Release and Transfer Notification

- The VSP, in conjunction with the District Attorney's Office and the Juvenile Probation Department, shall develop a system to notify personal injury crime victims of their right to receive notification, if requested, of a juvenile's post-adjudication transfer or release from a detention center, shelter facility, or residential placement facility, including temporary leaves and home passes.
 - o The VSP shall provide information on notifications available to crime victims.
 - o The VSP shall offer direction, assistance and support to victims enrolling in notification processes.
 - o The VSP is required to have training on pre-adjudication and post-adjudication rights.

Mental Health

- The VSP shall notify each eligible victim of their sentencing rights, including the right to receive notification regarding mental health hospital transfer, discharge, death, and escape notification form the Pennsylvania Department of Human Services.
- If a Program is responsible for providing notifications under the Crime Victims Act:
 - o The VSP shall provide eligible victims with the Pennsylvania Department of Human Services, Office of Mental Health Victim Notification Program's enrollment brochure.

STRIVING FOR EXCELLENCE

- The VSP shall advocate for all crime victims to be eligible to receive post-sentencing release notification from the county correctional facility.
- The VSP shall develop a mechanism to ensure that the victims have an avenue through which their concerns regarding conditions of release can be considered prior to county parole release.
- The VSP shall assist OVA with victim information for older cases that are being considered for parole and or pardons currently.

RELOCATION

CORE STANDARD

Relocation is facilitating or providing direct assistance in helping victims and their families, due to their status of being a victim or victim-witness to a crime, permanently relocate to a new residence out of necessity for their safety and well-being due to real or potential intimidation, harassment, or harm.

Assistance may include, but is not limited to, reasonable moving expenses, security deposits on housing, rental expenses, storage unit rental, P.O. Box fees, and utility startup costs. Mortgage expenses are ineligible under VOCA.

PROGRAM REQUIREMENTS

For the VOCA-funded agency that provides relocation, the following requirements apply:

- In providing for the relocation of a victim and their family, the Victim Service Program (VSP) shall, at a minimum, include the following in their written policies:
 - A detailed description of who is eligible for relocation services, including provisions for caretakers and/or dependents where appropriate.
 - A detailed application, intake, and risk assessment process. The assessment should include, at a minimum:
 - A statement of the victim's immediate need for relocation services and financial assistance for relocation; and
 - Other sources of relocation funding to prevent duplication of assistance/reimbursement.
 - A detailed outline of the relocation process, which shall take into consideration all of the steps and costs involved in the relocation, such as: short and long-term housing; security deposits; rental expenses; assistance with school and housing voucher transfers; the moving of children and other household members; moving expenses; pets; utility start-up costs; subsistence; and other items related to the relocation process. VSPs are encouraged to consider the cost-of-living in their areas when developing budget limits.
 - The scope and length of relocation services, including termination procedures.
 - Communication procedures between the client, VSP, third-party vendors, and law enforcement, if necessary, including confidentiality considerations.
 - Security and liability considerations, which include a detailed Safety Plan, if necessary.
 - Any other policies or procedures deemed necessary by the VSP to ensure the safety and security of the relocated victim and their family.

If a determination is made that relocation is not required, or the relocation services are terminated, the VSP may provide the eligible victim with other housing options (i.e., Emergency Financial Assistance, Emergency Shelter, Emergency Housing, Transitional Housing, or In-Home Care) and other eligible direct services.

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Please see the following additional standards for more information on other options available for victims of crime if relocation options are not available or appropriate:

- o Emergency Financial Assistance
- o Emergency Shelter
- o Emergency Housing (for older and/or disabled adults)
- o Transitional Housing
- o In-Home Care for Adults and Children
- In collaboration with the victim, the VSP shall develop and document an individualized relocation plan meeting the needs of the victim and their family. The VSP shall document, in writing, the victim's agreement with the relocation plan and all related VSP policies and procedures.
- If the VSP is partnering with law enforcement in the relocation of a victim-witness, the VSP shall establish an interagency agreement or memorandum of understanding with the appropriate law enforcement department to ensure that all parties are aware of the policies, procedures, and responsibilities that each entity has agreed to follow regarding the relocation process.
- Participation in relocation shall be voluntary. Relocation that is court-ordered is not eligible for VOCA funding and shall be provided by the appropriate county office independently.
- Federal VOCA funding cannot be used to supplant existing state or local funding commitments for relocation. Funding can be used, however, to supplement existing funds for new or expanded services.
- VSPs that utilize funding through the Attorney General's Office, PCADV, and victims' compensation for relocation services shall follow the respective requirements of those funding streams.
- **Conflict of Interest** – VOCA Relocation funding may not be used in payment to any vendor of relocation goods or services if said vendor has a personal or professional affiliation with any member of the Board or staff of the VOCA subrecipient program.
 - o Personal or professional affiliation includes:
 - A material economic relationship between the vendor and a Board member or staff member.
 - A material economic relationship between the vendor and a Board/staff member's partner, parent, sibling, child, or member of the immediate household.
 - o Members of the Board of Directors and staff have an affirmative duty to disclose all personal or professional affiliations with a proposed vendor of relocation services and the subrecipient shall consider all material facts and avoid even the appearance of impropriety and avoid entering contractual relationships with said proposed vendor(s).

ADMINISTRATION

- Each request for relocation services shall receive a separate review for consideration and approval.
- VSPs shall have a written policy and established procedures on the management, approval, and distribution of relocation funds which include having written consent from the victim for each vendor who will receive relocation funds. In addition, VSPs shall maintain a thorough record of all activities related to the administration of relocation funds. At a minimum, records shall include documentation of eligibility, distribution of funds, payee and amounts, dates of transactions, approving authorities and any other information deemed applicable by the VSP's written policy.
- VSPs administering relocation services shall establish a system of checks and balances and ensure segregation of associated duties. Formal internal controls for the approval and distribution of funds that include two-person accountability shall be outlined in their written policies and procedures governing relocation.
- Funds for relocation services shall be paid directly to the vendor on behalf of the victim when at all possible (e.g., rent, utilities, etc.). When direct payment to a vendor is not possible or practical, payment may be made to the client with sufficient justification noted. The VSP shall collect the receipts from the client and maintain them as a financial record.
- If relocation involves relocation to another country, the VSP shall request prior approval from OVS. OVS may require a submission of a Project Modification Request (PMR).

MONITORING & REPORTING REQUIREMENTS

- VSPs will be monitored in accordance with OVS regulations on the administration of relocation services. OVS staff will review program policies and procedures; financial transactions and all records related to the relocation of victims and their families.
- Regular reporting on relocation expenses will be required as part of the quarterly fiscal reporting processes. VSPs shall develop or utilize tracking systems to monitor expenses for relocation services ensuring VOCA funds are tracked separately from other relocation funding sources.
- VSPs should be aware that misuse of funds is strictly prohibited. VSPs identified for the misuse of funds through regular monitoring and audits will be held responsible for full reimbursement of the misappropriated funds.

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STRIVING FOR EXCELLENCE

- VSPs are encouraged to enter into interagency agreements of MOUs with all relevant local service providers to develop a comprehensive range of housing options for victims.
- VSPs are encouraged to invite law enforcement and other partners in relocation services (e.g., hotels, transitional housing service providers, property managers, legal service providers, mental health counselors, etc.) to attend trauma-informed training sessions and to inform them on emerging trends and responses to victimization.

REFERENCES

- [Revised Federal VOCA Guidelines \(7/8/16\), Section 94.119\(k\) and \(l\).](#)

RESTITUTION

CORE STANDARD

The Victims' Services Program (VSP) shall provide information and advocate, for the victims, regarding their right to restitution under Pennsylvania law and advocate on behalf of the victim(s) for the necessity and collection of restitution.

PROGRAM REQUIREMENTS

- The VSP shall have training on all restitution laws, statutes, applicable court cases in Pennsylvania, and the county's restitution collection process.
- The VSP shall have a victim sensitive process for gathering required information that will determine the amount of restitution that is due and owed to the victim.
- The VSP shall advocate, on behalf of the victim, for the victim to receive full restitution for their losses.
- The VSP shall inform all victims of their obligation to reimburse the Pennsylvania Commission on Crime and Delinquency's (PCCD) Victims Compensation Assistance Program (VCAP) if they receive restitution for losses that the VCAP has already covered through direct reimbursement to the victim(s).
- The VSP shall work/advocate with the District Attorney's Office, the court, and the probation departments to ensure that the victim's restitution is being or has been paid in full. In cases where restitution has not been paid in full, the Victims' Services Program shall advocate for the collection of restitution and inform the victims of other avenues of restitution recovery.
- Those VSP's that are providing the prosecutor's or chief juvenile probation officer's responsibilities under the Crime Victims Act, shall advocate for the development of a procedure for restitution to be paid in full before the offender is released from jurisdiction, regardless of the presence or involvement of insurance companies.
- The VSP shall make available information on options for pursuing civil remedies against offenders.

PRACTICE TIPS

- When providing assistance or advocacy with restitution issues, the following should be considered:
 - How information will be made available to the prosecutor, juvenile probation officers/pre-sentence investigator and/or the court when VCAP has been paid to the victim(s).
 - How the crime victim(s) will be afforded ample time and opportunity to assess their restitution needs.
 - How restitution information will be forwarded to the prosecutor, juvenile probation officer, court, and if appropriate, to the treatment facility and/or to the pre-sentence investigator.
 - How restitution information from the victim(s) will be forwarded to the assigned District Attorney.

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- o How information from the VCAP awards, payments by other governmental agencies and/or insurance company payments shall be forwarded to the court system.
- o How to conceal victim name and address from the defense when filing restitution.
- The VSP shall work with the District Attorney to develop a system to amend restitution orders.

STRIVING FOR EXCELLENCE

- The VSP shall take the lead in developing educational materials on the subject of restitution by creating training opportunities and facilitating a county collection effort.
- The VSP shall oversee the development of a brochure that provides information to the victim(s) on the collection process, varying dispositions/payment mechanisms for offenders serving various types of state and county sentences and liability, payment mechanisms, etc., for parents of juvenile offenders.

RESTORATIVE JUSTICE - ADULT

CORE STANDARD

Restorative justice is an approach to dealing with crime and conflict which focuses on identifying and repairing the harm caused to victims of crime and community. This approach provides an opportunity for crime victims to meet with the person(s) who caused the harm when such meetings are requested or voluntarily agreed to by all parties and have reasonably anticipated beneficial or therapeutic value to all participants..

The Restorative Justice - Adult standard specifically addresses restorative justice programs which are used with adults ages 18 and older. Please see the Restorative Justice – Juvenile standard to address programs with youth ages 17 and under.

DEFINITIONS

Common restorative responses – Restorative agreements which repair harm imposed on the victim and community, as well as address root causes of the problematic behavior. This term includes, however is not limited to, victim community awareness classes, victim-adult dialogues, community dialogues, restorative dialogues, restorative group conferencing, family group decision making, community justice panels, community circles, victim impact panels, restorative community service, restitution, apology letters, and competency development/skill enhancement supports.

Restorative Justice Dialogue (RJD) – A direct or indirect meeting between the victim and the adult who caused the harm and potentially other individuals affected by the offense, guided by a facilitator(s), that seeks to ensure that the harm experienced by the victim is repaired by the process.

Restorative Justice Program – A program administered by a governmental, non-profit or for-profit entity that organizes and facilitates restorative justice dialogues and common restorative responses.

Referral Sources – Victim, County probation department, the Court, county specific diversion initiative (ARD program), or the VSP

PROGRAM REQUIREMENTS

- Prior to offering or referring a victim to a restorative justice program, the VSP shall ensure that the restorative justice program meets the criteria under subsections listed below and establish a written agreement with the program outlining the referral process and all other policies and procedures necessary to ensure that the program complies with this standard.
- Restorative justice programs shall develop written referral criteria in collaboration with all referral sources. Programs shall not discriminate based on race, sexual orientation, gender, language, or socio-economic status. (See Program

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Administration Standard -Accessibility Section.) When circumstances exist where a participant(s) has/have unique needs, limited capacity, disabilities, and/or language or cultural barriers, providers shall make every effort to seek consultation and to adapt services in ways that proceed with the process, provided that they are consistent with restorative justice values, principles, and practices.

- Restorative justice programs shall be victim-centered, and shall include the following:
 - The restorative justice program shall have a policy to ensure that every participant understands that their participation is voluntary and can be withdrawn at any point. Victim participation shall be voluntary.
 - For programs offering a restorative justice dialogue (RJD), facilitators shall communicate proactively with both the victim(s) and the person causing harm in order to prepare them for the process and to elicit any potential risks or concerns, so that these can be addressed.
 - RJD facilitators shall facilitate the conversation in a way that supports parties to repair any harm experienced by the victim.
 - RJD facilitators shall convey the program's expectations for participants regarding their confidentiality and/or facilitate a conversation at the dialogue to ensure that all are clear about the expectations to be upheld by participants after the conference. Debriefing opportunities for all participants shall be offered after the direct/indirect dialogue.
 - Victim input will be considered regarding process choices such as meeting times, meeting locations, room set-up, seating arrangements and order of speaking.
 - Victims shall be offered appropriate support and accompaniment by advocates.
 - When it has been determined that a dialogue is likely to cause revictimization, if the person who caused the harm is not appropriate, or if the victim chooses not to participate for any reason, the program shall discuss alternative common restorative responses with the victim that does not involve a dialogue (e.g., letters of apology, community service or other work requested by the victim, answering victim questions in writing through a third party and offender self-education projects, or participation in a victim awareness class.) The victim is not required to participate in other restorative responses if they are not interested.
- Regarding written apologies, VSPs shall establish a written policy, in conjunction with the appropriate entity (i.e., District Attorney or Adult Probation Officer, Defense Bar, Department of Corrections/Parole Board and/or the Court) for the delivery of apologies to victims that includes:
 - Determining and documenting in writing the victim's willingness to receive a written apology.
 - Delineating its role in delivering written apologies.
 - Informing victims of their choice to receive the written apology and advocating that the victim's decision is honored.
 - Screening written apologies for appropriateness.
 - Providing support to the victim upon receipt of an apology.

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- Programs shall ensure RJD practitioners receive training on victim-centered service provision, restorative justice values, principles and practices, and how to conduct victim adult dialogue. Programs shall also provide for mentorship and facilitator development in their practices and policies to ensure that new facilitators undergo sequenced exposure to the process and ongoing supervision of their experiential learning.
- All restorative justice program staff must have a current Commonwealth of Pennsylvania criminal history clearance on record with the program provider. A criminal background does not automatically preclude someone from serving as a facilitator or staff member. (See Program Administration Standard – Personnel Management Section)

STRIVING FOR EXCELLENCE

- Restorative justice programs should strive to advance transformative justice by examining and addressing the underlying individual, relational, and systemic conditions that contribute to harm. Programs are encouraged to move beyond case-specific outcomes and intentionally contribute to long-term change by influencing organizational practices, cross-system responses, and community norms in ways that promote accountability, equity, healing, and the prevention of future harm.
- Restorative justice programs should acknowledge and honor the historical and cultural roots of restorative practices, including the wisdom of local Indigenous communities and the broader multicultural traditions that have informed contemporary restorative justice approaches. Programs are encouraged to engage in ongoing learning reflection, and relationship building that respects these origins and avoids appropriation, while grounding practice in values of respect, humility, reciprocity, and community connection.

RESTORATIVE JUSTICE - JUVENILES

CORE STANDARD

In 1995, Pennsylvania's Juvenile Act incorporated Balanced and Restorative Justice (BARJ) as the theoretical foundation to the juvenile justice system. BARJ focuses on the needs of the crime victim, family members, and the community, as well as the youth causing harm. The Restorative Justice - Juveniles standard specifically addresses juvenile restorative justice programs which are used with youth aged 10 to 17 at the time of the delinquent offense.

Restorative justice is an approach to dealing with crime and conflict which focuses on identifying and repairing the harm caused to victims of crime and community. This approach provides an opportunity for the crime victim to meet with the youth causing harm, when such meetings are requested or voluntarily agreed to by all parties (who may, at any point, withdraw) and have reasonably anticipated beneficial or therapeutic value to all participants.

DEFINITIONS

Common restorative responses – Restorative agreements which repair harm imposed to the victim and community, as well as address root causes of the problematic behavior. This term includes, however is not limited to, victim community awareness classes, victim youth dialogues, community dialogues, restorative dialogues, restorative group conferencing, family group decision making, community justice panels, community circles, victim impact panels, restorative community service, restitution, apology letters, and competency development/skill enhancement supports.

Juvenile Restorative Conference (JRC) – A meeting of the youth along with the community of people most affected by the offense – the victim, family, friends, and key supporters of both, and selected community-members – to decide the appropriate response to a specific incident or delinquent act. A JRC may also be referred to as a restorative group conference or community accountability conference, and they are similar in format to other restorative dialogue processes such as family group conferences and victim youth dialogues.

Juvenile Restorative Justice Program – A program administered by a governmental, non-profit or for-profit entity that organizes and facilitates juvenile restorative conferences and common restorative practices.

Referral Source – Victim, county juvenile probation department, juvenile court, county specific diversion initiatives (i.e., Youth Aid Panel), or the VSP.

PROGRAM REQUIREMENTS

- Juvenile restorative justice programs shall develop written referral criteria in collaboration with all referral sources. Programs shall not discriminate based on race, sexual orientation, gender, language, or socio-economic status. (See Program Administration Standard – Accessibility Section) When circumstances exist where a participant(s) has/have unique needs, limited capacity, disabilities, and/or language or cultural barriers, providers shall make every effort to seek consultation and to adapt services in ways that proceed with the process, provided that they are consistent with restorative justice values, principles, and practices.
- Juvenile restorative justice programs shall be victim centered and include the following:
 - Victims shall be offered support services throughout any restorative practice or process.
 - Policies that address how the program will:
 - Focus on the needs of the victim(s) affected by the crime and how the victim will be restored through the restorative program/practice;
 - Respect the need of both the victim and the youth causing the harm; and
 - Clarify the juvenile's obligations to the victim and the community.
 - If appropriate, provide opportunities for dialogue that will be beneficial for the victim and the youth, whether it be direct or indirect dialogue.
- Programs offering Juvenile Restorative Conferencing (JRC) shall have the following procedures in place:
 - Victims shall be informed when the youth in their case is accepted to potentially proceed in a JR process. The JRC program shall have a policy to ensure that every participant understands that their participation is voluntary and can be withdrawn at any point. Victim participation shall be voluntary. No participation shall be pressured in any way to participate in a restorative process.
 - Facilitators shall communicate proactively with the victim and the youth's probation officer in order to prepare them for the process and to elicit any potential risks or concerns, so that these may be addressed.
 - Any youth (ages 10-17) shall have written permission from a parent or guardian to participate in a JRC process affiliated with the juvenile justice system.
 - Victim input will be considered regarding process choices such as meeting times, meeting locations, room set-up, seating arrangements and order of speaking.
 - Victims shall be offered appropriate support and accompaniment by advocates. Any participant under the age of eighteen (18) engaged in the JRC process shall be accompanied by a parent or legal guardian, or by an alternative adult designee mutually agreed upon by the youth and their parent or guardian.
 - JRC facilitators shall facilitate the conversation in a way that supports parties to repair any harm experienced by the victim. When a program or referral source requires particular agreement items, the participants shall be made aware of this request in advance of the conference meeting.

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- JRC facilitators shall convey the program's expectations for participants regarding their confidentiality and/or facilitate a conversation at the conference to ensure that all are clear about the expectations to be upheld by participants after the conference. Debriefing opportunities for all participants shall be offered after the conference.
- When it has been determined that a conference is likely to cause revictimization such as the youth is not appropriate or the victim chooses not to participate for any reason, the program shall discuss alternative common restorative justice responses with the victim. Common restorative processes may include but are not limited to letters of apology, community service, or alternative arrangements agreed upon by the parties, answering victim questions in writing through a third party and youth self-education projects, or participation in a victim awareness class. The victim is not required to participate in other restorative responses if they are not interested.
- Regarding written apologies, VSPs shall establish a written policy, in conjunction with the appropriate entity (i.e., District Attorney, Chief Juvenile Probation Officer, Defense Bar, and/or the Court) for the delivery of apologies to victims that includes:
 - Determining documenting in writing the victim's willingness to receive a written apology.
 - Delineating its role in delivering written apologies.
 - Informing victims of their choice to receive the written apology and advocating that the victim's decision is honored.
 - Screening written apologies for appropriateness.
 - Providing support to the victim upon receipt of an apology.
- Programs shall ensure that JRC facilitators receive training on victim-centered service provision and how to conduct restorative conferences. Programs shall also provide for mentorship and facilitator development in their practices and policies to ensure that new facilitators undergo sequenced exposure to the process and ongoing supervision of their experiential learning.
- All juvenile restorative justice program staff shall have a policy for and complete the appropriate clearances with determinations made under the Determination of Suitability to Interact with a Participating Minor federal condition. (See the Program Administration Standard – Personnel Management Section)

STRIVING FOR EXCELLENCE

- Restorative justice programs should strive to advance transformative justice by examining and addressing the underlying individual, relational, and systemic conditions that contribute to harm. Programs are encouraged to move beyond case-specific outcomes and intentionally contribute to long-term change by influencing organizational practices, cross-system responses, and community norms in ways that promote accountability, equity, healing, and the prevention of future harm.

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- Restorative justice programs should acknowledge and honor the historical and cultural roots of restorative practices, including the wisdom of local Indigenous communities and the broader multicultural traditions that have informed contemporary restorative justice approaches. Programs are encouraged to engage in ongoing learning reflection, and relationship building that respects these origins and avoids appropriation, while grounding practice in values of respect, humility, reciprocity, and community connection.

REFERENCES

Juvenile Court Judges Commission (2016). [Crossing Bridges: A Handbook for Community Involvement in Juvenile Justice through Restorative Practices](#).

SYSTEMS ADVOCACY

CORE STANDARD

Systems Advocacy are activities designed to affect policy and procedural changes for the improvement of system-wide responses to crime victims. Opportunities for system advocacy can arise when working with any of the following entities, including but not limited to:

- Justice Systems
- Healthcare Systems
- Behavioral & Developmental Health Systems
- Children & Youth Services
- Area Agency on Aging Drug & Alcohol agencies /Public, Private, Charter & Vocational Schools
- Local Business Organizations (i.e., Economic & Civic Development, Chamber of Commerce, etc.)
- Faith / Community
- Social Service Programs
- Organizations serving historically marginalized communities.

PROGRAM REQUIREMENTS

The Victims' Services Program (VSP) shall identify and participate in activities that promote systems advocacy, collaboration and the enhancement of victim rights and services to improve systems' response to victims.

PRACTICE TIPS

- Participate in the following:
 - o Coalition building;
 - o Collaborative efforts;
 - o Community organizing efforts;
 - o Policy development, implementation and review;
 - o State, national, or local boards related to victim services; and
 - o Restorative justice initiatives and opportunities.
- Become familiar with information and strategies for being a successful Agent of Change.

THERAPY

CORE STANDARD

The therapy standard includes both traditional credentialed¹ therapy and alternative therapy.

Traditional credentialed therapy is a clinical process designed to assess and mitigate the long-term adverse impacts of trauma resulting from victimization. It is an in-depth intervention provided to victims of crime by professionally trained and credentialed therapists.

Alternative and complementary therapies, or hereafter, alternative therapy, are therapies that are not considered traditional credentialed therapy. Examples of alternative therapy/healing include, but are not limited to, art therapy, music therapy, equine therapy, play therapy, and trauma-informed yoga.

Therapy is separate and distinct from counseling and supportive counseling which are short-term interventions (see Counseling/Supportive Counseling Standard). The delivery of therapy without the necessary education, training and competency, or the failure to refer a client for therapy when needed, may expose clients to negative outcomes, fail to adequately address their mental health needs, and expose the Victims' Services Program (VSP) to significant liability concerns.

PROGRAM REQUIREMENTS

- Victims of crime are eligible for therapy services which can be provided by either therapists on staff or credentialed consultants.
- VSPs shall have a process for regularly screening all victims to determine whether a referral for therapy is needed and desired by the victim.
- Professional Requirements
 - o Traditional Credentialed Therapy

For the VSP that provides traditional credentialed therapy, this therapy shall be delivered by:

 - A master's or doctorate-level clinician who is professionally licensed by the Commonwealth of Pennsylvania and whose professional scope of practice includes therapy; or
 - A master's-level clinician who has completed their coursework, is working toward licensure in the Commonwealth of Pennsylvania, and whose professional scope of practice includes therapy, under the ongoing supervision of a professionally licensed clinician.
 - o Alternative Therapy

For the VSP that provides alternative therapy, this therapy shall be delivered by:

¹ For purposes of this Standard, the term credentialed means that the therapist is licensed by the Commonwealth of Pennsylvania in their dedicated field of study, the license is in good standing and the therapist has received the necessary training and education to include trauma training.

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- A master's or doctorate-level clinician who is professionally licensed by the Commonwealth of Pennsylvania. Licensed professionals who provide alternative therapies (i.e., music, art therapy, etc.) shall provide documentation of training completed in these modalities; or
- For alternative therapies where no Pennsylvania license exists, an individual with state or national certification in an alternative therapy program or style (i.e., equine therapy, play therapy, trauma-informed yoga) who has undergone trauma-informed training, as approved by PCCD, and shall be supervised, if necessary, on an ongoing basis by a licensed clinician providing traditional credentialed therapy as provided for in this section.
- All therapists shall have trauma-informed training and incorporate trauma-informed approaches in the delivery of therapy services.
- Therapists may be required to obtain additional threshold training or meet other requirements by the agency with financial or programmatic oversight of the VSP (e.g., PCAR, PCADV, PCCD, or NCA standards), including meeting the 10 hours of training required annually by PCCD. A therapist is not able to offer services to a VSP until these additional trainings or requirements are satisfied.
- A copy of the therapist's current professional license or certification and proof of professional liability insurance covering the therapist shall be maintained in the VSP's files.
- To verify that therapy was provided, each victim's file shall include a notation for statistical purposes to document that the victim received therapy (see Program Administration Standard– Record Keeping).
- Therapists shall follow all state and federal laws and the standards of the agency providing oversight to the VSP (i.e., PCAR, PCADV, PCCD or NCA standards) pertaining to confidentiality of their clients and record-keeping.

STRIVING FOR EXCELLENCE

- When providing traditional credentialed therapy for posttraumatic symptoms resulting from victimization, VSPs should strive to provide age-appropriate, evidence-based therapy services for clients. Examples of these types of traditional credentialed therapies include, but are not limited to, Eye Movement Desensitization and Reprocessing (EMDR), Cognitive Processing Therapy (CPT), Narrative Exposure Therapy (NET), Prolonged Exposure Therapy for PTSD (PE), Prolonged Exposure Therapy for Adolescents (PE-A), and Trauma-Focused Cognitive Behavior Therapy (TF-CBT).
- When providing alternative therapy for posttraumatic symptoms resulting from victimization, VSPs should strive to provide age-appropriate, evidence-based, or research-informed therapy services for clients. VSPs are encouraged to research the effectiveness of alternative therapies through clearinghouses (i.e., California Evidence Based Clearinghouse for Child Welfare, the National Registry of

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Evidence-based Programs and Practice by SAMHSA, etc.) prior to implementation.

- VSPs are encouraged to coordinate with other VSPs to develop a comprehensive range of therapy services for victims of all crimes within the service area.

TRAINING & ONGOING PROFESSIONAL DEVELOPMENT

CORE STANDARD

Training is essential to the ability of victim service professionals to carry out their responsibilities. Training gives Victim Service Program (VSP) staff the skills to react timely and wisely in difficult situations and deal with urgent human problems by utilizing independent professional judgment. Training and ongoing professional development is the process that helps advocates stay current in their skills to respond to the changing needs of victims.

PROGRAM REQUIREMENTS

- The initial annual training shall be competency-based with an emphasis on building the individual skill level of the VSP staff member.

Note: Agencies whose oversight organization is the Pennsylvania Coalition to Advance Respect (PCAR), Pennsylvania Coalition Against Domestic Violence (PCADV) and/or National Children's Alliance (NCA), will abide by the relevant oversight organization's training standard. These agencies will not be required to attend Foundational Academy (noted in section 1.a. iii); however, they shall still meet the 10-hours professional development requirement (noted in section 2). These 10-hours can include the hours related to the PCAR, PCADV, or NCA professional development.

However, if a PCAR and/or PCADV funded agency provides services to all crime victims, they shall provide documentation that staff received additional training to build their skills in service provision to all crime victims.

The VSP shall ensure that all members of its staff receive initial training in a victim-centered approach. This training shall be completed within six months from the date of hire and documentation of completion of training placed in the staff's personnel file.

- The number of required training hours for VSP staff and volunteers and the parameters for training compliance shall be as follows:
 - Employees and volunteers shall attend an 8-hour orientation to the agency, which includes general information about the mission and operation of the program, crisis response and the specific services provided.
 - Agencies shall provide and document training for volunteers of VOCA funded programs not affiliated with State Coalitions or Chapters and having direct contact with victims, shall complete an additional 32 hours of training. The following topics shall be covered:
 - Advocacy skills
 - Communication
 - Confidentiality
 - Counseling skills/Trauma Informed Service Delivery
 - Crisis Intervention
 - Mandated Reporting
 - Disabilities

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- Diversity and Cultural Competence
 - Ethics in Victim Services
 - Overview of the Criminal, Juvenile and Civil Justice system including the appeal process
 - Select trainings of types of victims served through the VSP
 - Self-Care
 - Values Clarification
 - Victim's Rights
- New staff of VSP's providing VOCA/RASA/VOJO funded services shall provide documentation of completion of PCCD's Foundational Academy or attend PCCD's Foundational Academy within six months of hire if providing direct services to victims.
 - o Funded positions who have primary roles involving administrative oversight, accounting and bookkeeping, data entry (outside of funded client related data) grant writing, reception and clerical, information technology and support, maintenance, and other ancillary service roles (i.e., shelter cook, transportation/driver, etc.) are exempt from the PCCD Foundational Academy, however, they shall still attend the agency orientation and training.
 - o Attorneys and therapists are not required to attend the Foundational Academy but are still subject to agency orientation and training. It is understood that these positions are subject to separate licensing and credentialing as well as continuing education obligations.
 - o Consultants and contractors are exempt from the PCCD Foundational Academy. It is understood that VSP's select consultants and contractors who bring an expertise to the project/program.
- For staff hired before the existence at PCCD's "Orientation for New Victim Service Providers" or 32 hours of training covering the following topics shall be provided:
 - o Advocacy skills
 - o Communication
 - o Confidentiality
 - o Counseling skills/Trauma informed Service Delivery
 - o Crisis Intervention
 - o Mandated Reporting
 - o Disabilities
 - o Diversity and Cultural Competence
 - o Ethics in Victim Services
 - o Overview of the Criminal, Juvenile and Civil Justice System including the appeals process
 - o Select trainings of types of victims served through the VSP
 - o Self-Care
 - o Values Clarification
 - o Victims' Rights

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- Additional training is required for VSP staff who provided the following specialized services:
 - NOVA Community Crisis Response training and/or KCIT training is required for crime scene response; community crisis intervention; death notification; and debriefing.
 - Crime Victim Compensation training is required for staff providing filing assistance.
 - Minimum Licensed Therapist is required to provide therapy (see Therapy Standard)
- All employees whose role consists primarily of direct contact or supervision of employees having direct client contact shall attend 10 hours of professional development included under the above-mentioned list of eligible topics. Professional development hours are based on the calendar year (January to December), and documentation of training should be part of the personnel file. The professional development hour requirement for the employee or volunteer's first year will be based on the date of employment or the beginning of volunteer service at the program.
 - Up to 2.5 hours of professional development can consist of administrative trainings such as technology, or supervision/management topics that enhance the operational efficiencies of the program.
 - Employees who exceed the required 10 hours of professional development will be allowed to carry over a maximum of 3.5 hours into the next year. (For example, if an employee obtains 15 hours of approved professional development the first year, they may carry forward 3.5 hours into the second year; the remaining 1.5 hours may not be carried forward and will expire at the end of the second year. New professional development hours earned in the second year may be carried forward to the third year to a maximum of 3.5 hours, and so on).
 - Require that staff and volunteers participated in a minimum of 1 hour of professional cultural diversity training annually. For VSPs that shall adhere to NCA, PCAR or PCADV standards, these hours can be part of the sum of hours required by the funders. Staff and volunteer training shall include 1 hour annually of cultural responsiveness training.
- Volunteers having direct contact with clients shall complete 10 hours of ongoing professional development per year. Training includes preparation and orientation, in-service, and other defined educational opportunities, while informal training would encompass reading, lectures, supervision, etc.

PRACTICE TIPS FOR ONGOING PROFESSIONAL DEVELOPMENT

- In-person and virtual trainings offered by State and National Coalitions or other local trainings supported by or approved by PCCD can be used to meet annual training requirements.

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- PCCD offers training programs to assist programs in meeting the Training and Ongoing Professional Development Standard requirements. Online trainings are available on the PVST Website at: [PA Victim Services Training](#). Some options are developing in-house training for staff, collaborating with other local or regional VSPS through mutual agreement to offer the training, hosting qualified outside trainers or sending staff to other programs for training. Any of these options are acceptable, as long as the content of the training covers all time and content requirements.
- Determine when new staff can begin interacting with victims and accessing victim information. Crisis intervention and other complex direct services should only be handled by Program staff that has completed initial training.

ADDITIONAL INITIAL TRAINING TOPICS

- Local Balanced and Restorative Justice Practices
- Victim/Witness Intimidation
- HIV/AIDS and its impact on crime victims
- Community Safety Planning
- Local Restitution Practices

SUGGESTED ANNUAL PROFESSIONAL DEVELOPMENT TOPICS

- Collaborative/Community Building Skills
- Systems Advocacy
- Communication Skills
- Crisis Intervention/Enhanced Community Safety Planning
- Victims Compensation Assistance
- Cultural Competency and Anti-Oppression Skills
- Empowerment

STRIVING FOR EXCELLENCE

- Subscribe to professional journals.
- Recognize the value of education and training in improving services to victims. Encourage staff to obtain more than the 10-hour minimum of annual ongoing training and education.

TRANSITIONAL HOUSING

CORE STANDARD

Transitional Housing provides temporary housing and support services through Victim Service Programs (VSP). These services are designed for victims who have fled a situation of sexual assault, domestic violence, dating violence, stalking, human trafficking, and /or other victims of crime. They enable these victims to locate and secure permanent housing and assist securing employment for eventual reintegration into the community.

Please see the following additional standards for more information on other options available for victims of crime if transitional housing options are not available or appropriate:

- Emergency Financial Assistance
- Emergency Shelter
- Emergency Housing (for older and/or disabled adults)
- In-Home Care for Adults and Children (emergency caretaker services)
- Relocation

Transitional Housing Models:

Transitional housing may be provided in scattered site, clustered site, or communal living locations.

Scattered Site -

- Survivor lives in an apartment in the community.
- Survivor holds lease in their own name; and
- VSP is not the landlord (unless subleasing to survivor).

Clustered Site -

- VSP owns a building with units or rents a group of apartments in a common location.
- VSP is landlord and service provider; and
- Survivor lives in the program-owned building or one of the program's rented units for a specific period of time while they find more permanent housing.

Communal Living -

- Similar to design for emergency shelter services; and
- May have separate/private bedrooms but share common space such as living room, dining room, kitchen, etc.

PROGRAM REQUIREMENTS

For the VSP that provides transitional housing services, the following requirements apply:

- Compliance - If housing is provided by VSP (cluster site or communal site), the physical space shall comply with all relevant federal, state, and local laws; health and safety codes; and inspection requirements.
- Policies and Procedures - Written policies and procedures for the following items at a minimum shall be in place:
 - o A detailed description of whom is eligible for transitional housing services, including provisions for caretakers and/or dependents where appropriate.
 - o Scope of services that includes relevant support services to assist with the transition (e.g., budgeting, counseling, facility rules and regulations, fee schedule, if applicable).
 - o A detailed application, intake, and risk assessment process for new clients.
 - o Communication procedures between the client, VSP, landlords, third party vendors, and law enforcement including confidentiality considerations. VSPs shall obtain informed, written consent to release information.
 - o Transitional Housing Rent Structure and Agreement. These may include the following types:
 - **Subsidized**
Survivor enters the lease. VSP provides a portion of rent, as rental assistance, paid directly to the landlord.
 - **Rent and Sublet**
Lease is in VSP's name and the VSP is responsible for payment of the rent. VSP creates sub-lease or rental agreement for survivor, and survivor pays a portion of the total cost of rent to the VSP.
 - **Own**
VSP-owned and operated. VSP creates a sub-lease or rental agreement for survivor, and survivor pays a portion of the total cost of rent to the program;
 - o Security and liability considerations, which include a detailed Safety Plan, if necessary.
 - o Resident rights and responsibilities;
 - o Emergency protocols (e.g., fire, suicide or client fatality, bomb threats, hostage situations, injury, or health-related emergencies, and communicable diseases, etc.) and unforeseen disruptions of service (e.g., shelter infestations, environmental disasters, natural disasters, and utility disruption, etc.), if applicable.
 - o Duration of stay. The length of stay is anticipated to be between 6 months and 24 months but shall not exceed 30 months. Policy should be flexible and balances the specific needs and support services to the victim and their family.

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- o Discharge Procedures, including early termination for cause as well as steps for moving survivors from transitional housing status to independence in a permanent residence.

In collaboration with the victim, the VSP shall develop and document an individualized transitional housing plan meeting the needs of the victim and their family. The VSP shall document, in writing, the victim's agreement with the plan and all related VSP policies and procedures.

- Program Income - VOCA Recipients shall be cognizant that they may be generating program income in the delivery of transitional housing services. Program income means gross income earned by the subgrantee that is directly generated by a supported activity or earned as a result of a PCCD grant award during the period of performance.

If you choose to accept the payment/program income you shall contact the Fiscal Department at PCCD at RA-PCCDGrantsMgmt@pa.gov. Please refer to PCCD's Applicant's Manual for more details on program income and for current policies related to it.

- Conflict of Interest – VOCA Transitional Housing funding may not be used in payment to any vendor of transitional housing goods or services if said vendor has a personal or professional affiliation with any member of the Board or staff of the VOCA subrecipient program.
 - o Members of the Board of Directors and staff have an ethical responsibility to disclose all personal, professional, or economic affiliations with a proposed vendor of transitional housing services and the subrecipient shall consider all material facts and avoid even the appearance of impropriety and avoid entering contractual relationships with said proposed vendor(s).

STRIVING FOR EXCELLENCE

- VSPs are encouraged to coordinate with other VSPs and other local area service providers to develop a comprehensive range of housing for victims of all crimes within the service area. Ongoing communication with County housing providers regarding the manner in which the program's transitional housing services will be distinguished as a housing option within a service area is strongly recommended.
- Based on the emerging nature of Human Trafficking issues, VSPs should remain abreast of the latest research by seeking out and incorporating new policies and guidelines to improve service delivery to this victim population. Screening/assessment of all victims, should include a focus on human trafficking to identify or verify if the person has been trafficked in order to connect them to additional services;
- As a best practice, it is recommended that survivors are never required to pay more than 30% of their gross income in rent regardless of the rent structure selected.

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REFERENCES & RESOURCES (applicable legal authority if available)

Some of the above information was borrowed from the following resources:

- [National Network to End Domestic Violence](#)
- OTW Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking
- [PCCD Applicant's Manual](#)
- Section 8: Residential Shelter Services standard, PCADV
- Act No. 105 of 2014, Pennsylvania's Comprehensive Human Trafficking Statute

USE OF TECHNOLOGY IN THE PROVISION OF SERVICES TO VICTIMS & CLIENT DATA MANAGEMENT SYSTEMS

CORE STANDARD

Technology is commonly used by Victim Service Providers (VSPs) to expand access to essential services. It can be utilized to assist people who might not otherwise receive services and can provide opportunities to continue service provision when on-site services are not possible (e.g., weather events, pandemic, or other emergency closures). In addition, programs use technology to access, gather and manage information about clients, including electronic client records and databases that store and analyze data. As such, this standard identifies important ethical considerations and issues that VSPs shall address when using technology.

Please note that this standard provides general guidance on:

- Technology for use in provision of services to victims, such as tele-counseling via telephone, tele-counseling via a web-based program, texting, chat rooms, etc.
- Technology for use in managing client information, such as computer or web-based software that stores individual client records; computer or web-based software that collects data about client services and allows for aggregation and reporting of that data and web-based software that allows for electronic collection of consent to services, etc.

This standard neither replaces nor negates any other provision standards in the PCCD Consolidated Standards; rather, it is intended to enhance and complement those standards.

PROGRAM REQUIREMENTS

- VSPs utilizing technology in the provision of services to victims or managing client information shall address the following:
 - o In determining the most appropriate technology to be used for service delivery, VSPs should consider the following:
 - Which technology will work most effectively to achieve the desired outcome for clients;
 - Which technology system will maintain service standards including confidentiality considerations;
 - The risks and benefits of the technology system;
 - The suitability of the technology system's use for each potential client and accessibility issues; and
 - Continuity of operations planning in the event the technology fails.
 - o The VSP shall have a policy prohibiting the recording or transcription of the communication with the client unless the provider has documented the client's or guardian's expressed permission.

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- o The VSP shall develop written policies and procedures that address any legal issues related to licensure and provision of services via technology. The use of technology shall meet all victim confidentiality standards, if appropriate, HIPPA or VAWA compliance. If the program plans to use technology for provision of group services to clients, they will make provisions for confidentiality and safety issues.
- o All devices or technology utilized by a VSP shall be agency approved. If an agency cannot provide devices to staff, guidance on what is needed on personal computers, tablets, phones, etc. to create safety (e.g., passwords, logging out of accounts and applications, etc.) shall be provided via written policy and documented training.
- o VSPs utilizing digital technology or networking technology to transmit data (e.g., Wi-Fi, FTP (File Transfer Protocol) shall ensure its security.
- o If utilizing technology to support direct client services, the VSP shall develop written policies and procedures that address the following as it relates to the use of technology:
 - Intake and assessment process (e.g., how will information to/from a client be provided between the VSP and the client via technology);
 - Consent to services and the service delivery model that is appropriate for the client (e.g., age appropriate, cultural considerations, etc.) including the method of documenting consent remotely and the verification of the client's identity for the service;
 - Acknowledgement that the client understands the limitations of the service delivery model, and the risks;
 - How confidentiality (see Program Requirement 3) and data security (see Program Requirement 5) will be addressed;
 - How persons with LEP will receive meaningful access to services;
 - How devices will be utilized (see Program Requirement 4).
 - How client safety (see Program Requirement 7) will be addressed; and
 - Alternative service delivery models if a client opts not to use the technology.
- VSPs shall develop written policies and procedures that specify how they will provide information to clients utilizing technology on safety measures, including if and when it may be best to refrain from use, how to manage device history (e.g., clearing text messages on a phone, wiping browser history, etc.) how to react/respond to a dangerous situation that may occur during the provision of services, the physical location of where the client accesses the technology, and additional safety precautions (e.g., passwords, logging out/of disabling accounts and applications, etc.).

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- VSPs shall document that their staff who are using the technology for service delivery has received the necessary training. Training should include:
 - Competency in the technology
 - When providing services:
 - The consideration of communication differences in the use of electronic media versus in-person communication.
 - The location where the staff person is utilizing the technology.
 - Confidentiality and legal considerations as they relate to the use of technology with a client (e.g., clearing text messages on a phone, wiping browser history, etc.).
 - Acknowledgment that staff understands the limitations of the service delivery model, and the risks.
 - How to respond to a client who reports risk of harm to self or others while providing a service remotely.
 - How to address mandated reporting, for incidents of abuse that are disclosed and/or witnessed during a tele-counseling appointment.
 - A plan for responding to a medical emergency during a service that is being provided via technology (e.g., confirming the client's location at the beginning of each session).
 - Provide guidelines of actionable steps to be taken in the event of technological failure before and during session, call, or other communication.
- VSPs utilizing technology in managing client information shall address the following:
 - o The VSP shall develop written policies and procedures to govern electronic client records and databases that store and analyze data, including a record retention and deletion policy and a policy addressing staff access to client records via web-based applications or email.
 - o The VSP shall develop written policies and procedures to determine which staff will be responsible for utilizing technology for client data management systems and to what extent (i.e., data entry, data analysis, and/or data reporting and dissemination).
 - o The VSP shall develop written policies and procedures for timeliness of data entry to include maintaining accuracy in data entry, who is responsible for ensuring records are accurate, and who is responsible for data correction in the event data is recorded inaccurately.
 - o The VSP shall develop written policies and procedures that outline who is responsible for the extraction of data from the data management system, when the data is extracted, and measures to ensure confidentiality when disseminating the data reports to funders or stakeholders.

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- o The VSP shall develop written policies and procedures that specify how they will ensure appropriate, confidential documentation of services, including securing client information off-site, and address any legal issues related to licensure of data collection systems. The data collection system shall meet all victim confidentiality standards, including, if appropriate, HIPAA or VAWA compliance. The policy should also explain the chain of command for reporting a suspected breach or staff misuse of sensitive data.
- o VSPs should have documentation that access to client data shall be secure and encrypted, including end-to-end encryption for video calls and conferencing. In addition, a VSP shall have controls (e.g., access restrictions/limits) for client confidentiality in place for those times that an IT provider needs to provide technical support to a case management system.
- o VSPs shall develop a training curriculum for the identified data collection system to ensure all necessary staff are receiving appropriate training and shall document that their staff who are using the technology for service delivery and client data management systems has received the necessary training.

Training should include, but is not limited to:

- Competency in the data collection system,
- Data collection system competency shall include at minimum:
 - o Definitions & Terms
 - o Client specific and agency specific data differences
 - o Data entry case flow (opening to closing cases)
 - o Editing data/data deletion & retention
- Confidentiality and legal considerations as they relate to the use of the data collection system,
- Provide guidelines of actionable steps to be taken in the event of technological failure, and
- Provide guidelines for determining when remedial or advanced training is needed, and how to obtain remedial or advanced training, when applicable.

The VSP shall also provide staff with a policy on the clear boundaries between the intersection of online service provision and their own personal social media presence. This policy shall be reviewed with staff as a part of the eight (8) hour agency orientation.

The VSP shall periodically assess client satisfaction with receiving services remotely. This assessment should be done in addition to any client satisfaction survey(s)/outcomes tool required by the funder(s).

STRIVING FOR EXCELLENCE

VSPs offering services through technology should receive written consent from the victim/survivor. If the written consent cannot be obtained from an in-person meeting, an electronic signature could be used. A VSP could also obtain consent by emailing the consent form to the victim/survivor and have them sign and returned it through email, text, chat, or fax. The victim/survivor could also reply to the email indicating their consent.

- If possible, a VSP should only utilize agency-issued devices equipped for confidential, secure, safe communication.
- While the technology standard does not directly address these issues, VSPs should also consider the following:

The provision of information to the public by digital means (e.g., social media) as part of the VSPs overarching communication strategy.

- Guidelines for agencies in staff use of technology (e.g., cell phones while driving, Facebook comments, etc.) Annually, review these guidelines and have staff sign an acceptable use policy.
- Off-site data entry; and
- Safety tips, information, and privacy strategies for victims on the use of technology.

RESOURCES

- Confidentiality Institute: Resources for Practicing Confidentiality <https://www.confidentialityinstitute.org/resources>
- NNEDV Technology Safety and Privacy Resources <https://www.techsafety.org/>
- PCAR's Telecounseling for Survivor Technical Assistance Bulletins <https://pcar.org/resource/telecounseling-survivors> and Children <https://pcar.org/resource/telecounseling-children-and-teens>

VICTIM IMPACT STATEMENTS

CORE STANDARD

A Victim Impact Statement details the physical, psychological, and economic effects of the crime on the victim and the victim's family. Prior to disposition, the Victims' Services Program (VSP) shall provide assistance to crime victims to exercise their right, under the Crime Victims Act, to offer a written and/or oral victim impact statement.

18 P.S. § 11.201.

PROGRAM REQUIREMENTS

- The VSP shall make available written guidance to the victim in completing victim impact statements (see Practice Tips for recommendations) (See Language Accessibility Standard)
- The VSP shall have a written procedure detailing the submission of written and oral victim impact statements.
- The VSP shall ensure that any written impact statement is included in any pre-sentence or pre-disposition report submitted to the court.
- The VSP shall, upon request, provide all victims with the opportunity to receive in-person assistance in preparing their victim impact statement.
- The VSP shall ensure the availability of age-appropriate assistance for child victims preparing victim impact statements.

PRACTICE TIPS

- Issues of discovery should be discussed when preparing victim impact statements. Victim impact statements may be considered discoverable if completed prior to the trial or actual conviction of the defendant. The VSP should consult with the DA's Office on best practices.
- A victim impact statement is not testimony. It is not subject to cross-examination. Any attempt to cross-examine a victim providing an impact statement should be addressed as a crime victim's rights violation.
- Statements should be made by the victim of the crime, parent, or guardian of a minor victim, or in cases of homicide, a surviving family member.
- Statements may include:
 - o How has this crime affected you physically?
 - o How has this crime affected you financially?
 - o How has this crime affected you emotionally?
 - o How has the crime impacted your daily routine?
 - o How has this crime changed the way you deal with others?
 - o Were you injured? Explain your injuries.
 - o Is it likely that you will continue to require medical attention? You may include a copy of a statement from your doctor.
 - o Do you or your family still fear for your life? If so, why?

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- o Has the offender, or anyone associated with the offender, done anything to threaten or intimidate you?
- o Do you have any reason to believe that if the offender were released on probation, he/she would harm you or your family?
- o Have you had to attend counseling to help you deal with the crime? Are you likely to continue to need counseling?
- o Did you lose any property as a result of the crime? If so, what was its value?
- o Is there anything else you would like the court to know about this crime?

STRIVING FOR EXCELLENCE

- The VSP shall ensure that home visits, virtual, or other sites are an option in the preparation of victim impact statements to victims who are unable to come into the office for assistance.

VICTIM/WITNESS INTIMIDATION

CORE STANDARD

Victim/Witness intimidation includes actions on the part of the offender, offender's family or offender's associates that cause a victim or witness to feel threatened, intimidated, harassed or in fear for their safety and well-being. The Victim's Services Program (VSP) shall have a written policy to address victim/witness intimidation.

PROGRAM REQUIREMENTS

- The VSP shall have a written policy for handling complaints of threats, intimidation or harassment to victims and witnesses that includes:
 - o How confidentiality will be maintained in accordance with the Confidential Communications Standard.
 - o Who will receive information, i.e., detective, Assistant District Attorney, Juvenile Probation Officer.
- The VSP shall engage in safety planning with the victim and/or witness when intimidation has been disclosed.
- The VSP shall provide written notification to the assigned Assistant District Attorney or Juvenile Probation Officer of any complaint of threats, intimidation, and harassment.
- The VSP shall provide feedback to the victim or witness on the handling of the matter and what actions will be taken.
- The VSP shall provide training to all victim service staff on the policy for handling complaints of threats, intimidation, and harassment.
- The VSP shall have knowledge of the resources to relocate victims and witnesses when necessary.

PRACTICE TIPS

- A standardized intake information sheet to gather all pertinent victim/witness intimidation information, which may include, but is not limited to the following:
 - o Who is the intimidator?
 - o What is the type of intimidating conduct?
 - o When did the act of intimidation occur?
 - o Where did the act of intimidation occur?
 - o Is the victim/witness acquainted with the intimidator?
 - o Is the victim/witness able to identify the perpetrator?
 - o Is there an open case in the system?
 - o If so, what is the defendant's name, case number and where and when is the case listed?
 - o Are there witnesses to the intimidation?
 - o Is there any evidence that is able to be provided?

STRIVING FOR EXCELLENCE

- The VSP shall be familiar with the offender's bail conditions or conditions of supervision and sanctions that could occur if the offender would violate these conditions.

VICTIMS COMPENSATION ASSISTANCE

CORE STANDARD

The Victims Compensation Assistance Program (VCAP) is a financial resource available to victims of crime in Pennsylvania that helps victims, and their families ease the financial burdens they may face as a result of crime. The Victims' Services Program (VSP) shall provide information to the victim about Victims Compensation Assistance and assist, directly or indirectly, in the preparation, filing and follow-up of any claim for Victims Compensation Assistance.

PROGRAM REQUIREMENTS

- All VSPs shall:
 - o Receive basic training and remain current on subsequent changes to VCAP in Pennsylvania and compensation procedures in the local service area.
 - o Include an explanation of the VCAP in the initial contact or letter to victims.
 - o Provide information to all potentially eligible clients about VCAP eligibility, benefits, and filing deadlines.
 - o Engage in an initial and ongoing assessment of eligibility for VCAP.
 - o If a claim is investigated for potential fraud, the VSP shall cooperate with VCAP and the Attorney General's office.
- To comply with the Confidential Communications Standard, the program shall have in place the following procedure:
 - o The Program shall return all supporting documents to the victim once the claim number has been received from VCAP, which confirms that the claim has been filed.
Exceptions: 1) the program is statutorily protected, or 2) the victim has signed a consent form expressing consent and understanding of the level of confidentiality that may be afforded to those records.
 - o If a claimant would file a claim on their own or with another VSP, VCAP shall obtain verbal or written consent for the new VSP to access the VCAP claim.
- All VSPs in the service area shall collaboratively create a document identifying all the VSPs in the service area, identifying those that provide assistance in preparing, filing and following up on VCAP claims and those that refer victims to another agency for assistance. The information on this document shall be reviewed and updated annually. (See the Outreach Standard and Collaboration with Community Agencies Standard)
- For agencies that file claims directly, the following applies:
 - o The VSP shall maintain VCAP claim forms and other victims' compensation materials for victims and referral agencies. The material shall be relevant to the victims' primary language needs. (See Language Accessibility Standard).

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- o The VSP shall ensure that assistance is available to the victims in the preparation, submission, and following up on VCAP claims by:
 - Informing victims of the eligibility requirements for filing a claim.
 - Assisting victims in contacting law enforcement, medical providers, insurance providers, billing agents, Social Security Administration, employers, funeral homes, etc., for information/documentation needed to facilitate the claims process.
 - Providing alternatives such as telephone or off-site visits, where and when appropriate, for victims who cannot visit the VSP to prepare the VCAP application. (See Use of Technology in The Provision of Services to Victims Standard)
 - Advising victims that if they receive restitution for bills paid by compensation or a civil suit settlement as a direct result of the crime in which they filed a claim, then the VCAP shall be reimbursed for awards made on behalf of the victim.
- o The VSP shall advocate on behalf of the victim when concerns/issues arise in the compensation review or verification process in order to facilitate the award of a compensation claim throughout the determination, award and appeal processes.
- o The VSP shall develop a relationship with law enforcement to:
 - Ensure that they have information on VCAP to provide to potential claimants (arrest and non-arrest cases).
 - Provide assistance in meeting mandatory obligations to inform all potential claimants of VCAP as required by law. This may be accomplished through:
 - Distribution of Victims' Rights and Services materials by law enforcement officers,
 - Distribution of claim forms and other materials by record clerks, and
 - Training on VCAP for all law enforcement officers.
 - Have VCAP materials available according to the victims' primary language needs.
- For agencies that refer victims to other agencies for assistance in completing VCAP Claims:
 - o The VSP shall maintain VCAP claim forms and other victims' compensation materials for victims and referral agencies. The material shall be relevant to the victims' primary language needs.
 - o The VSP shall inform victims of the eligibility requirements for filing a claim.

STRIVING FOR EXCELLENCE

- The VSP has a formal presentation and prepared materials to train and educate the public, media, local organizations and law enforcement agencies about Victims Compensation Assistance.
- The VSP should provide staff the opportunity to attend training on and use the statewide automated claims processing system, Dependable Access for Victimization Expenses (DAVE) to file claims electronically, check on claim status and access statistical data concerning their program.

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- The VSP should follow up with law enforcement in regard to personal injury and non-arrest cases to determine if victims' compensation information was made available to the victim.
- The VSP shall contact any service provider and/or creditor to explain the compensation program and intervene on behalf of the victim when needed (see Individual Advocacy Standard).

RELEVANT LEGISLATION

- 18 Pa.C.S. § 1106(c)(1)(i): The court shall not reduce a restitution award by any amount that the victim has received from the Crime Victims' Compensation or any other designated account when the claim involves a government agency in addition to or in place of the above. Section 1106(c)(1)(ii) of this statute also provides that if restitution to more than one person is set at the same time, the court shall set the following priorities of payment: a.) the victim, b) the Crime Victims' Compensation Board, c) any other government agency which has provided reimbursement to the victim as a result of the defendant's criminal conduct, and d) any insurance company which has provided reimbursement to the victim as a result of the defendant's criminal conduct.
- 18 P.S. § 11.701 *et seq.*: Persons eligible for compensation under the Crime Victims Act.

VICTIMS' RIGHTS NOTIFICATION

CORE STANDARD

The Victims' Services Program (VSP) shall provide all victims with timely and accurate information of their rights under the Crime Victims Act (Refer to [PA Crime Victims Act \(18.P.S. §11.101\)](#) and other relevant victims' rights laws automatically granted under the law relating to victim requests for services.

PROGRAM REQUIREMENTS

- The VSP shall develop informational material that outlines the rights of the victim to include receiving all notifications, having opportunities for input, and providing information on how the victim may participate in the justice system.
- The VSP shall provide information on rights and services entitled to all crime victims and those additional rights available for victims of personal injury crimes.
- The VSP shall develop a system of notifications in consultation with the appropriate entities, including but not limited to the Pennsylvania Board of Pardons (see Capital Case Notification and Release Notification Standards).
- The VSP shall respond timely to requests for additional information and provide appropriate support and follow-up to the victim within the provisions of the program and by law.

STRIVING FOR EXCELLENCE

- Informational material should be available online.
- Develop a Victims' Rights Notification quick reference guide checklist.
- Establish open and on-going communication with appropriate entities in the service area to provide timely, accurate, and comprehensive services regarding victims' rights notification.

WITNESS MANAGEMENT

CORE STANDARD

In conjunction with the District Attorney's Office and Juvenile Probation Department, the Victims' Services Program (VSP) that provides Rights and Services ACT (RASA) and/or Victims of Juvenile Offender (VOJO) services shall notify victims and witnesses as far in advance as possible of upcoming court proceedings and provide advance notification when possible if their appearance is not required.

PROGRAM REQUIREMENTS

- The VSP shall endeavor to work with the Court Administrator's Office, District Attorney's Office, Juvenile Probation Department, and other appropriate offices to develop a system for notification of victims and witnesses subpoenaed for cases. The system shall include notification to victims and witnesses when it is later determined they are not needed to appear for the case, or the case is continued.
- Prior to court proceedings VSP shall endeavor to obtain a list of scheduled cases; contact information of victims and witnesses; and determine the best method for notifications, and travel time required.
- The VSP shall inform the victim or witness of their responsibility to keep the VSP notified of any changes to their contact information or scheduling conflicts that could affect their availability for court appearances.
- The VSP shall maintain documentation of all notifications made to victims and witnesses.
- The VSP shall attend or obtain information from the pretrial conference/proceeding to verify case status. In the event there is not a pretrial conference, the VSP shall make contact with the prosecutor assigned to the case to determine case status.
- The VSP shall address any issues/concerns that the victims or witnesses have in relation to court appearances and advocate for and/or make any necessary referrals or arrangements.

NOTE: The preparing, drafting, generating, mailing, or serving subpoenas, other than to the victim, is prohibited under VOCA/RASA/VOJO funding.

PRACTICE TIPS

- For counties that have on-call systems, the VSP should confer with the District Attorney prior to any hearing to determine the possible disposition of cases and identification of any victims that may be eligible for on-call status and the VSP should inform the victims and witnesses.

STRIVING FOR EXCELLENCE

The VSP shall advocate for the design of a flexible court schedule, including evening sessions designed to minimize the inconvenience of spending unnecessary time in the courthouse.

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