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#### UNDER SECRETARY OF DEFENSE 4000 DEFENSE PENTAGON WASHINGTON, D.C. 20301-4000

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MEMORANDUM FOR THE SECRETARIES OF THE MILITARY DEPARTMENTS

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SUBJECT: Domestic Abuse Victim Advocate Program

References: (a) Section 534 of the National Defense Authorization Act for Fiscal Year 1995, P.L. 103-337

- (b) DoD Directive 5400.11, "DoD Privacy Program," December 13, 1999
- (c) DoDD 1030.1, "Victim and Witness Assistance," April 13, 2004
- (d) DoDI 1030.2, "Victim and Witness Assistance Procedures," June 4, 2004

This directive-type memorandum assigns responsibilities and establishes procedures for the Domestic Abuse Victim Advocate Program in the Department of Defense (DoD). Operative terms are defined in Attachment 1.

It is DoD policy that victims of domestic abuse, whether living on or off the installation, shall have access to victim advocacy services in accordance with the protocol at Attachment 2. The Military Departments shall ensure that advocacy services are available to victims twenty-four hours a day through either personal or telephonic



contact, and shall include both immediate and on-going information and referral assistance, safety planning, and support services. Victims of domestic abuse who are eligible to receive military medical treatment, to include on a fee-paying basis, shall have access to both immediate and ongoing victim advocacy services. This includes treatment and services at military treatment facilities and Tricare services, as well as all services listed in Attachment 2. Victims who are not eligible to receive military medical treatment shall receive safety planning services only and shall be referred to civilian support services for all follow-on care. If safety plans are retained by victim advocates, they shall be kept by the victims' name or personal identifier in an appropriate Privacy Act system of records (reference (b)).

Providing increased protection to victims through ongoing safety planning with victim advocates (see Attachment 3) and a coordinated community response are critical to domestic abuse prevention and intervention efforts. It is also important that victims be actively involved in all aspects of the development of their safety and service plans, and that they be afforded the right to make decisions regarding their safety and welfare, including the right to refuse victim advocacy services.

This memorandum is effective immediately. A DoD issuance implementing the Domestic Abuse Victim Advocate Program shall be issued within 180 days.

David S. C. Chu

Attachments: As stated

## ATTACHMENT I

#### DEFINITIONS

ADVOCACY SERVICES. Services that are offered to victims of domestic abuse with the goal of increasing victim safety and autonomy. Services shall include, but not necessarily be limited to, responding to victims' emergency and ongoing safety concerns and needs, providing information about programs and services available to victims and their children in both the civilian and military communities, and providing victims with ongoing support and referrals.

CATEGORIES OF SUPPORT AVAILABLE. Victims of domestic abuse who are eligible to receive military medical treatment, to include on a fee-paying basis, shall have access to both immediate and ongoing victim advocacy services. This support includes treatment and services at military treatment facilities and Tricare services, as well as all services listed in the Domestic Abuse Victim Advocate Protocol. Victims who are not eligible to receive military medical treatment shall receive safety planning services only and shall be referred to civilian support services for all follow-on care.

DOMESTIC ABUSE. Domestic abuse is (1) domestic violence or (2) a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty when such violence or abuse is directed toward a person of the opposite sex who is: (a) A current or former spouse; (b) A person with whom the abuser shares a child in common; or (c) A current or former intimate partner with whom the abuser shares or has shared a common domicile.

<u>DOMESTIC VIOLENCE</u>. An offense under the United States Code, the Uniform Code of Military Justice, or State law that involves the use, attempted use, or threatened use of force or violence against a person of the opposite sex, or the violation of a lawful order issued for the protection of a person of the opposite sex, who is: (a) A current or former spouse; (b) A person with whom the abuser shares a child in common, or (c) A current or former intimate partner with whom the abuser shares or has shared a common domicile.

<u>SAFETY PLANNING</u>. A process whereby a victim advocate, working with a domestic abuse victim, creates a plan, tailored to that victim's needs, concerns and situation, that will help increase the victim's safety and help the victim to prepare for, and potentially avoid, future violence.

<u>VICTIM ADVOCATE</u>. An employee of the Department of Defense, a civilian working under contract for the Department of Defense, or a civilian providing services via a formal memorandum of understanding between the installation and a local victim advocacy service agency, whose role is to provide safety planning services and

comprehensive assistance and liaison to and for victims of domestic abuse, and to educate personnel on the installation regarding the most effective responses to domestic abuse on behalf of victims and at-risk family members.

VICTIM AND WITNESS ASSISTANCE PROGRAM (VWAP). A program established by DoD Directive 1030.1, "Victim and Witness Assistance" and DoD Instruction 1030.2, "Victim and Witness Assistance Procedures" that assists victims and witnesses of crimes punishable under the Uniform Code of Military Justice from initial contact with the program through investigation, prosecution, and confinement. Under this program, an installation level Victim/Witness Coordinator or Liaison shall be designated to ensure that the rights of victims are protected. Advocacy services are not provided through this program.

#### ATTACHMENT 2

# DOMESTIC ABUSE VICTIM ADVOCATE PROTOCOL

2.1. <u>VICTIM ADVOCATE PROGRAM</u> Domestic abuse victim advocates provide victims of domestic abuse a resource for immediate and ongoing information and referral assistance, safety planning, and support services. Victims who are eligible to receive military medical treatment shall have access to both immediate and ongoing support. Victims who are not eligible to receive military medical treatment shall receive only referral information on civilian support services. In partnership with military and civilian service providers, victim advocates also promote a coordinated community response to the prevention of and intervention in domestic abuse.

# 2.2. ADVOCACY TO INDIVIDUAL VICTIMS

- 2.2.1. Initial Response. The domestic abuse victim advocate shall:
- 2.2.1.1. Ensure the availability of 24-hour victim advocacy services either through personal or telephonic contact.
- 2.2.1.2. Ensure that the victim understands that talking to the victim advocate is voluntary.
- 2.2.1.3. Inform the victim that victim advocates are mandated to report domestic abuse to the Family Advocacy Program.
  - 2.2.1.4. Ascertain the victim's immediate needs.
  - 2.2.1.5. Encourage the victim to seek medical consultation/examination.
- 2.2.1.6. Assess for imminent danger of life-threatening physical harm to the victim or another person. Law enforcement shall be notified if there is a threat of imminent danger, or of any criminal activity against the victim or another person.
- 2.2.1.7. Seek immediate consultation from a credentialed medical provider as defined in reference (c) when there is an imminent danger of life-threatening physical harm to the victim or another person for facilitation of further assessment and continued safety planning.
- 2.2.1.8. Discuss an initial safety plan and, with the active participation of the victim, develop a plan in accordance with the safety plan, DD Form \_\_\_\_, at Attachment 3. Victims who are not eligible for military medical care will be provided a copy of the

initial safety plan. A copy of the safety plan shall be retained by the victim advocate only when victims are eligible for military medical care and will continue to see the advocate. In all other instances, a copy shall not be retained. A victim whose plan is retained shall be informed by the victim advocate that the plan will be kept in a record and where the record will be located. The victim shall also be informed that the purpose of maintaining a record is to enable the victim and the victim advocate to continue their discussion of the victim's safety, to develop the safety plan more fully, and to record services provided to the victim.

- 2.2.1.9. Ensure victims are aware of the legal actions available to promote their safety.
- 2.2.1.10. Offer victims information, as appropriate, regarding: local resources for immediate safety and long-term protection and support, workplace safety, housing, childcare, legal services, clinical resources, medical services, chaplain resources, transitional compensation, and other military and civilian support services.
- 2.2.1.11. Facilitate victim contact with military and civilian resources, as appropriate.
- 2.3. ONGOING ASSISTANCE The domestic abuse victim advocate shall:
- 2.3.1. When requested by the victim, or when the victim has provided consent, collaborate with the Family Advocacy Program (FAP), law enforcement, and the command to ensure that they are aware of the victim's safety plan.
  - 2.3.2. Maintain follow-up contact with the victim as appropriate.
- 2.3.3. Develop a safety plan with the victim, if one hasn't already been completed, and review it periodically with the victim.
- 2.3.4. Support the victim in decision-making by providing relevant information and discussing available options.
- 2.3.5. Assist the victim with prioritizing actions and establishing short and long-term goals.
  - 2.3.6. Support the victim in advocating on her or his own behalf.
- 2.3.7. Provide the victim comprehensive information and referral on relevant local military and civilian resources, the National Domestic Violence Hotline, and Military OneSource.

- 2.3.8. Assist the victim in gaining access to service providers and victim support resources that can help the victim explore future options and prioritize actions.
- 2.3.9. Assist the victim in contacting appropriate military and civilian legal offices for personal legal advice and assistance specific to the victim's circumstances or case, including the filing for civilian or military protective orders. The victim advocate shall not provide legal advice, but can provide general information on the civil or criminal legal process.
- 2.3.10 Consult and work with the Victim/Witness Liaison assigned when the military is involved in the investigation or disposition of an offense punishable under the Uniform Code of Military Justice (UCMJ).
  - 2.3.11. Advise the victim of FAP clinical resources.
- 2.3.12. Advise the victim of the impact of domestic violence on children and offer referrals for assessments of the physical and mental health of involved children.
- 2.3.13. Accompany the victim to appointments and civilian and military court proceedings, as appropriate and when requested by the victim.

## 2.4. ONGOING SAFETY PLANNING

- 2.4.1. Safety planning is an essential step in addressing the victim's immediate and long-term safety concerns. The safety planning process helps a victim explore options and prioritize actions. If children are involved, the process also explores their safety and emotional needs and the resources available to address those needs. Safety plans should be periodically reviewed with the victim.
- 2.4.2. In assessing the risk of imminent harm to the victim, and the potential for escalation of violence, the victim advocate should weigh the existence and frequency of the following risk factors:
  - 2.4.2.1. Victimization patterns have increased in seventy or frequency.
  - 2.4.2.2. Abuser has threatened or attempted to kill the victim or his/her children.
  - 2.4.2.3. Abuser has threatened or attempted suicide.
  - 2.4.2.4. Abuser has choked the victim.
- 2.4.2.5. Abuser has used a weapon or threatened to use a weapon against the victim.

- 2.4.2.6. Victim has sustained serious injury during the abusive incidents.
- 2.4.2.7. Police have had prior contact with the abuser regarding domestic abuse.
- 2.4.2.8. Victim has a restraining order or order of protection against the abuser.
- 2.4.2.9. Victim is estranged, separated, or attempting to separate from the abuser.
- 2.4.2.10. Abuser has stalked the victim.
- 2.4.2.11. Abuser exhibits obsessive behavior, extreme jealousy, or extreme dominance.
  - 2.4.2.12. Abuser abuses drugs or alcohol.
  - 2.4.2.13. Abuser has forced sex on the victim.
- 2.4.3. Prior to closure of the victim advocacy case file, the victim advocate should contact the victim to assess the need for additional or ongoing safety measures.
- 2.5. FAP CASE REVIEW COMMITTEE (CRC) The victim advocate shall:
  - 2.5.1. Attend all CRC meetings involving the victim to represent the victim's needs.
- 2.5.2. Collaborate with other CRC team members to ensure the victim's needs are met.

## 2.6. SYSTEM ADVOCACY

- 2.6.1. The victim advocate is responsible for promoting a coordinated community response for the prevention of domestic abuse and intervention when domestic abuse occurs. As a system advocate, the victim advocate shall:
- 2.6.1.1. Conduct an ongoing assessment of the consistency and effectiveness of the Domestic Abuse Victim Advocate Program at the victim advocate's installation.
- 2.6.1.2. Collaborate with other agencies and activities to improve system response to, and support of, victims.
- 2.6.1.3. Advocate for victim services that involve the victim in the decision-making process.

- 2.6.1.4. Collaborate with military and civilian law enforcement and criminal investigative units to establish a protocol and procedures to ensure: (1) availability of a victim advocate 24 hours a day for all incidents of suspected or reported domestic abuse occurring on or off the installation involving either active duty military personnel or DoD civilians eligible to receive military medical treatment; (2) collaboration on safety planning and safety measures; and (3) ongoing training of military and civilian law enforcement personnel on the victim advocate role.
- 2.6.1.5, Collaborate with the DoD sponsored Medical Treatment Facility (MTF) and Dental Treatment Facility (DTF) to establish a protocol and procedures to ensure availability of a victim advocate 24 hours a day for all incidents of suspected or reported domestic abuse, and ongoing training of medical/dental facility personnel on the victim advocate role.
  - 2.6.1.6. Establish liaison with FAP intervention and prevention staff.
  - 2.6.1.7. Establish liaison with civilian victim resources.
- 2.6.2. The victim advocate shall be a member of the installation Family Advocacy Committee (FAC). As a member of the FAC, the victim advocate shall participate in the development, implementation, and evaluation of installation domestic abuse policies and procedures, including Memoranda of Understanding (MOUs), victim services contracts, and Inter-Service Support Agreements.

## 2.7. EDUCATION/TRAINING AND PUBLIC AWARENESS

The victim advocate shall:

- 2.7.1. Assist in educating command and installation personnel on domestic violence and victim advocate services.
- 2.7.2. Provide briefings on victim advocacy services to active duty personnel, the civilian spouses of active duty personnel, and DoD civilians when the latter are eligible to receive military medical treatment.
- 2.7.3. Assist in training military first responders, including law enforcement and MTF/DTF personnel, command personnel, and chaplains.
- 2.7.4. Assist in training civilian service providers about military victim issues, resources and services.

- 2.7.5. Participate in development and collaboration of public awareness campaigns on victim rights and advocacy services.
  - 2.7.6. Assist in planning events for Domestic Violence Awareness Month.
  - 2.7.7. Participate in private sector domestic abuse councils.

### ATTACHMENT 3

#### PRIVACY ACT

In accordance with the Privacy Act of 1974 (Public Law 93-579), this notice informs you of the purpose of the form and how it will be used. Please read it carefully.

AUTHORITY: 5 U.S.C. 301, "Departmental Regulations"; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; and Section 534 of the National Defense Authorization Act for Fiscal Year 1995, Public Law 103-337.

PRINCIPAL PURPOSE: The information on this form will be used to provide victims of domestic violence with a plan for increasing their personal safety and to prepare victims for steps to take if further abuse or violence occurs.

ROUTINE USE(S): None

DISCLOSURE: Voluntary. However, failure to provide the information may make it more difficult to develop a comprehensive safety plan.

#### SAFETY PLAN

Name:	
Date:	 
Review dates:	 

The following represents my plan for increasing my safety and preparing in advance for the possibility of further abuse or violence. Although I do not have control over my abuser's behavior, I do have a choice about how to respond to him/her and how to best get my children and myself to safety.

## Some of the things I can do are:

	Increasing my overall safety. I may not always be able to avoid violent idents. In order to increase my safety, I may use a variety of strategies.
I ca	in use some or all of the following strategies:
	If I decide to leave, I will
	I can keep my personal belongings (purse, car keys, etc.) ready and put them (place) in order to leave quickly.
C.	I can tell about the violence and request they call the military or civilian police if they hear suspicious noises coming from my house. I can also tell about the violence and request they call the military or civilian police if they hear suspicious noises coming from my house.
D.	I can teach my children how to use the telephone to contact the police and the fire department, and how to report violence or other problems.
E.	I will use as my code word with my children or my friends so they can call for help.
F.	If I have to leave my home, I will go
G.	I can also teach some of these strategies to some/all of my children.
H.	When I expect we are going to have an incident, I will try to move to a space that is lowest risk, such as

(I will try to avoid incidents in the bathroom, garage, and kitchen, near

weapons or in rooms without access to an outside door.)

3. Safety when preparing to leave. I may decide to leave the residence I share
with my abuser. I must have a careful plan for leaving in order to increase my
safety. My abuser might strike out and become more violent if he/she believes
that I am leaving the relationship.

I can use some or all of the following safety strategies: A. I will leave money and an extra set of keys with \_\_\_\_\_so I can leave quickly. B. I will keep copies of important documents or keys at C. I will open a savings account by (date) \_\_\_\_\_, to increase my independence. I will use \_\_\_\_\_\_ mailing address so that the monthly statement is not sent to my home. D. Other things I can do to increase my independence include: E. The domestic violence program's hotline number is I can seek shelter by calling this hotline. F. I can keep change for phone calls on me at all times. I understand that if I use my telephone credit card, the following month the telephone bill will tell my abuser those numbers that I called before or after I left. To keep my telephone communication confidential, I must either use coins or a pre-paid phone card or I might get a friend to permit me to use his/her telephone credit card for a limited time when I first leave. G. I will check with \_\_\_\_ \_\_\_\_\_ and \_\_\_\_ to see who would be able to let me stay with them or lend me some money. H. I can leave extra clothes with \_\_\_\_\_

- I. I will not tell my abuser face-to-face that I am leaving, or I will leave without talking with my abuser.
- I. I will sit down and review my safety plan every
  in order to plan the safest way to leave the residence. (Domestic violence
  advocate or friend)
  has agreed to
  help me review this plan.
- K. I will rehearse my escape plan and, as appropriate, practice it with my children.
- 4. Items to take when leaving. If I decide to leave my abuser, it is important to take certain items with me. I may also want to give an extra copy of papers and an extra set of clothing to a friend just in case I have to leave quickly.

Items with dots on the following list are the most important to take. If there is time, I might take the other items or store them somewhere outside my home so I can get to them easily.

These items might best be placed in one location, so that if we have to leave in a hurry, I can grab them quickly. When I leave, I should take:

- Identification for myself
- Military Identification Card
- Children's birth certificates
- · My birth certificate
- Passports
- Social Security number for myself, the DoD sponsor, and my children
- Money
- Checkbook, ATM (Automatic Teller Machine) card
- Credit cards
- Keys house/car/office
- Driver's license and registration
- Medications
- Work permits
- Green card
- Divorce papers/custody papers
- Medical records
- Lease/rental agreements, mortgage payment book
- Bank books
- School and vaccination records
- Insurance papers

- Address book
- Pictures
- Jewelry
- Children's favorite toys and/or blankets
- Small saleable items (not abuser's property)
- 5. Safety in my own residence. If I no longer reside with my abuser or if I have my own residence, there are many things that I can do to increase my safety in my own residence. Depending on my residence, it may not be possible to do all the measures that are listed here or to do them all at once, but I will take all of them into consideration to protect my safety.

Safety measures I can use include:

- A. I can change the locks on my doors and windows as soon as possible.
- B. I can replace wooden doors with steel/metal doors.
- C. I can install security systems including additional locks, window bars, poles to wedge against doors, an electronic system, etc.
- D. I can purchase rope ladders to be used for escape from second floor windows.
- E. I can install smoke detectors and purchase fire extinguishers for each floor in my house/apartment.
- F. I can install an outside lighting system that lights up when a person is coming close to my house.
- G. I will teach my children how to use the telephone to make a collect call to me and to \_\_\_\_\_\_\_ (friend/clergy person/other) in the event that my abuser takes the children.

H. I will tell people who take care of my children which people have permission

•	to pick up my children and that my abuser is not permitted to do so. The people I will inform about pick-up permission include:
	(school),
	(day care staff),
	(babysitter),
	(SundaySchool/religious school teacher),
	(Teacher), and
	(Others)

I.	I can inform(neighbor),
	(pastor/religious leader), and
	(friend) t my abuser no longer resides with me and they should call the military or liian police if he/she is observed near my residence.
can	Safety with a protection order. My abuser should obey protection orders, but I never be sure. I recognize that I may need to ask the military or civilian ice, the courts, and the military commanding officer to enforce my protection ler.
	e following are some steps that I can take to help the enforcement of my stection order:
A.	I will keep my protection order at (location)
B.	I will always keep a copy of my protection order with me. If I change purses/wallets, that's the first thing that should go in.
C.	I will give a copy of my protection order to military and civilian police departments in the community where I work, in those communities where I usually visit family or friends, and in the community where I live.
D.	There may be a county registry of protection orders that all police departments can call to confirm a protection order. I will check to make sure that my order is in the registry. The telephone number for the county registry of protection orders is
E.	For further safety, if I often visit other counties, I might file my protection order with the court in those counties. I will register my protection order in the following counties:
F.	I can call the domestic violence program if I am not sure about B., C., or D. above or if I have some problem with my protection order.
G.	I will inform my employer, my clergy person, my closest friends, and that I have a protection order in effect.
rr	If my abuser destroys my protection order I can get another copy by going to

If my abuser violates my protection order, I can call the police and report a violation, contact my attorney, call my advocate, and/or advise the court of the violation.

- I. If law enforcement does not help, I can contact my advocate or attorney and will file a complaint with the chief of the law enforcement department.
- J. I can also file a private civil complaint in the jurisdiction in the U.S. where the violation occurred. I can charge my abuser with a violation of the protection order. (I can also ask if the jurisdiction where the violation occurred permits the filing of private criminal complaints.) I can call the domestic violence advocate to help me with this.
- 7. Safety on the job and in public. I must decide if and when I will tell others that my abuser is abusive and that I may be at continued risk. Friends, family and co-workers can all offer protection. I should carefully consider which people to invite to help secure my safety.

I might do any or all of the following:

A.	I can inform my boss, the security supervisor, military commanding officer, senior enlisted advisor, and at work of my situation.
В.	I can ask to help screen my telephone calls at work.
C.	When leaving work, I can
D.	When driving home, if problems occur, I can
E.	If I use public transit, I can
F.	I can use different grocery stores and shopping malls to conduct my business and shop at hours that are different than those when I was residing with my abuser.
G.	I can use a different bank and take care of my banking at hours different from those I used when residing with my abuser.
H.	I can also

8. Safety and drug or alcohol use. Many people use alcohol. Many use moodaltering drugs. Some drugs are legal; others are not. The Department of Defense has a zero-tolerance policy for active duty members with regard to the use of illegal drugs, and there are Federal and State criminal laws addressing the use of illegal substances. Therefore, I should carefully consider the potential costs to my family and me if someone in my family is using illegal drugs. But beyond this, the use of any alcohol or other drugs can reduce my awareness and ability to act quickly to protect myself from my abuser. Alcohol or drug use may also effect the way my abuser responds to different situations. Therefore, in the context of drug or alcohol use, I need to make specific safety plans.

If drug or alcohol use has occurred in my relationship with my abuser, I can enhance my safety by some or all of the following:

Д.	understand the risk of violence and are committed to my safety.
B.	I can also
C.	If my abuser is using, I can
D.	I might also
E.	To safeguard my children, I mightand
ve: pro	Safety and my emotional health. The experience of being battered and roally degraded by abusers is usually exhausting and emotionally draining. The ocess of building a new life for myself takes much courage and incredible ergy.
	conserve my emotional energy and resources and to avoid hard emotional nes. I can do some of the following:
Α.	If I feel down and ready to return to a potentially abusive situation, I can
B.	When I have to communicate with my abuser in person or by telephone, I can

C.	I can try to use "I can" statements with myself and to be assertive with others.
D.	I can tell myself: "
	I can tell myself: "" whenever I feel others are trying to control or
abı	use me.
E.	I can readto help me feel
	stronger.
F.	I can call,
	and as other resources to be of
	support to me.
G.	Other things I can do to help me feel stronger are, and,
H.	I can attend workshops and support groups at the domestic violence program or
	or to gain support and strengthen my relationships with other people.
W: PL	CHOULD NOT KEEP THIS PLAN WITH ME. I SHOULD DISCUSS ITH MY VICTIM ADVOCATE WHERE AND WITH WHOM THIS LAN WILL BE KEPT.  CHOULD DETACH THE PHONE LISTING BELOW AT THE DOTTED NE AND KEEP IT WITH ME.
	PHONE LIST
1	DETACH AT DOTTED LINE AND KEEP WITH YOU AT ALL TIMES
Te:	lephone numbers I need to know:
•	National Domestic Violence Hotline - 1-800-799-SAFE
•	Police Department - home
•	Police Department - school
•	Police Department - work
•	Military Ponce
•	Commanding Officer/Senior Enlisted Advisor

•	Family Advocacy Program Office
•	Chaplain
•	Domestic Violence Hotline
•	Domestic Violence Program/Advocate
•	
•	Work Number
٠	Supervisor's home number
•	Clergy person
•	Attorney
•	School/Daycare
•	Doctor
٠	Friend
•	Family Member
•	and the contract of the contra
•	Other