

**Victim Safety:
Safety Needs of Victims,
Their Children and Community**

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Learning Objectives

After this presentation, participants will be better able to:

1. Name safety related supports that victim advocates can provide to victims
2. Name trauma and culture informed safety planning steps at first contact, during court involvement, post court involvement, and when children are involved.
3. Identify things to include in a “prepare to leave” kit and why they support safety.
4. Explain at least four protection order remedies that support victim safety.
5. Understand how the different roles of a victim advocacy, a legal service provider and/or lay advocate can support victim safety.



But first: Kinds of Advocates

Victim Support

Community Based Advocates: “To act as a *biased* supporter of women; advocating for the *expressed* interests and safety of women (and their children) including safe space and other resources to regain control over their lives. To provide leadership and expertise based on women’s experiences within justice, law enforcement, social service and medical systems. To *prioritize women’s safety* and offender accountability in all aspects of the work including *maintaining confidentiality.*” (Mending the Sacred Hoop, S.T.O.P. Violence Against Indian Women TA 1996)

Systems Based Advocates: Primary goal is to assist victims advocate the criminal justice system but also provide support; must often share information. Can be called: victim-witness coordinators, victim advocates

Legal Support

Lay Advocates Admitted to practice in tribal courts. Communications may be protected by tribal code.

Attorney License to practice law in a state and is bound by their ethics requirements. Licensed to practice in tribal courts as established by tribal code and bound by their ethics codes.



SAFETY RELATED HATS WORN BY ADVOCATES



Knowledge Check

A survivor is testifying in a criminal case tomorrow. She fears an encounter in the courthouse parking lot.

What **safety planning** and **accompaniment** actions can an advocate take?

Please place ideas in chat



Ensuring Safety & Support Generally: A Hat Worn By Grassroots/Community Based Advocates

Provide safety planning, creating tailored safety plans at every juncture in the services provided to victims

Offer and provide emotional support and accompaniment during court hearings and other appointments at victim's request

Provide information on victim rights such as rights to confidentiality; work to ensure rights are protected and not violated

Facilitate healing options for victim and their family

Acquire knowledge on local, state, federal and tribal laws and local resources

Acquire knowledge on policies and procedures in the legal, social services, other agencies victim may encounter as victim secures legal services

Collaborate and coordinate with other providers to meet the ongoing needs of victim



Ensuring Safety when the Victim is Considering Legal Action

A Hat Worn By Grassroots/ Community Based Advocates

Assess victim's need for legal services that will support their safety

Identify appropriate resources

Provide options to victims, empowering victims to choose the options they want to pursue including legal services needed, such as housing, employment rights.

Explain the civil and criminal court processes (see TLPI resources at the end of this ppt deck)



Ensuring Safety & Support in Civil Proceedings

Possess knowledge of civil proceedings and options

Have the protection order forms at the office

Support victims in filling out forms to apply for protection order

Provide support and accompaniment and continue safety planning
(meet in safe location in courthouse locations, parking lot)

Provide support to victim preparing for hearings; what to expect



Ensuring Safety and Support in the Criminal Process

Acquire knowledge of criminal proceedings; the people victim may encounter in criminal justice system; terminology used in criminal proceedings

Know victim's rights that in code and procedure and advocate for them

Accompany victim at meetings with investigators, prosecutors and court hearings (meet in safe location in courthouse locations, parking lot)

Provide support throughout the forensic examination at victim's consent and choosing

Continue safety planning– from filing a police report and moving forward working with investigators (with victim's consent)



Ensuring Safety and Support in the Criminal Process (Con't)

Support victim in preparing testimony and victim impact statement

Explain what to expect, work with victim witness advocate in preparation for court

Provide support to victim in final outcome of trial



Confidentiality & Privacy



Confidentiality is the Cornerstone of Safety



Knowledge Check

Someone from tribal housing calls your office asking if “Marie” was at your office last week because her husband was asking how he could have her removed from the house. What do you tell him?

Please place ideas in chat



The “VAWA Confidentiality Provision”

The VAWA Confidentiality Provision refers to 34 U.S.C. 12291(b)(2), a provision of the Violence Against Women Act (VAWA) that requires all grantees and subgrantees receiving VAWA funding from the Department of Justice, Office on Violence Against Women, to protect the confidentiality and privacy of persons to whom those grantees and subgrantees are providing services. The VAWA Confidentiality Provision is designed to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, and stalking.



Privacy

Privacy is the expectation that when a victim shares information with another individual (the individual does not have to be a professional), the information will go no further without the victim's consent.



Safety Planning



Victim-Centered Safety Planning

- Assess safety whether first contact is in person or over the phone
- Inform victim of rights to confidentiality and address victim concerns about privacy, information shared with advocate
- Visit with victim provide emotional support, acquire information on history, what's been happening, location of abuser, children involved, any previous abuse or law enforcement involvement
- Visit with victim as to history of abuse, current abuse, who is abuser, support system, immediate concerns, victim wishes, plans (intake within culturally appropriate protocol)
- Respond to any questions, taking time to listen
- Inquire about what actions or steps the victim has already taken and whether any other agency is involved at this juncture (how were those services such as satisfactory or not as this information will be helpful to advocacy program for their future referrals and collaborative work)



Victim-Centered Safety Planning (con't)

- Identify immediate and long-term needs and focus on immediate such as medical for injuries, shelter, transportation, children's needs
- Take time to better understand what victim wants and needs such as if victim ready to leave relationship.
- Listen for concerns about family and friends. An abuser can use family, friends to stalk, harass or contact victim through phone calls, texting, social media. Abuser may blame family, friends for break up
- Understand the safety needs of children
- Explore, provide options to victims of safety options if victim prepared to leave.
- Provide appropriate options to enhance safety even while staying in the relationship.



PREPARING TO LEAVE

Cahuilla Legend



The two rock formations depicted here are located on the Cahuilla Reservation in California. Legend has it that the rock formation with the larger rock surrounded by smaller rocks represents a Cahuilla woman who left her husband with her children, because he was not good to her and the children. The rectangular rock to her left represents her suitcase. The rock formation on the left is located across the road from the one representing the women and children. This one represents the man who was left behind. Here you see him standing alone on a hill, looking across the road at the woman and their children about to leave the reservation.

Knowledge Check

The victim tells you they plan to leave in the next few days. Her wallet, kids' birth certificates, and their medications are all in a drawer the abuser checks often. She can visit a trusted aunt today. What three items would you prioritize for this victim and why?

Where should the bag be stored?

Please place ideas in chat



Important Items Victims Should Pack

Driver's license/ID

Birth certificate (for each person in the family)

Social Security card (for each person in the family)

Cash, credit/debit cards, and checks

Financial documents, including records of mortgage payments, lease, car title, rental agreement, bank records, etc.

Marriage license, divorce papers, custody agreement and restraining order

Medical records, proof of insurance, and medication/mobility aids/medical supports.

Prepaid phone

Proof of benefits, like SNAP

Keys (house, car, office, friend's home)

Sentimental items, including photos or heirlooms

Comfort items for children, like a stuffed animal, small toys, snacks in separate little bag



Supporting Safety and Respecting Choice



Victims Who Choose to Stay With Abuser

Avoid	Avoid shaming victim for choices
Concern	Express concern for safety
Respect	Respect choices, remind victim that services will still be there
Safety Plan	Provide safety planning for before violence happens, during a violent episode, and after a violent episode is over



Supporting Victim's Choices to Protect Safety for Self and Family



Children Who Witness Violence

- May experience physical, mental, and emotional harm;
- May experience difficulties with attachment, regressive behavior, anxiety and depression, and aggression and conduct problems;
- May be more prone to dating violence, delinquency, further victimization, and involvement with the child welfare and juvenile justice systems.
- May have an impaired capacity for partnering and parenting later in life, continuing the cycle of violence into the next generation

Children's Exposure to Violence: A Comprehensive National Survey, David Finkelhor, Heather Turner, Richard Ormrod, Sherry Hamby, and Kristen Kracke, Oct 2009



Considerations When Children Witness Violence

- The victim is not the perpetrator
- Offender accountability - the offender is the perpetrator and should be held accountable
- Separating the children from the victim can also cause them harm
- Supporting the victim in making better choices through safety planning
 - Have the children stay with a relative where they won't witness the violence
- Develop relationships with child welfare agencies
 - Learn about their prevention programs – does the victim qualify for services?
- At all times, emphasize the need for the safety of the victim and the kids
- Here is where coordinated community response teams can have a big difference



Non-Offending Parent Concerns for Children

- Wants child/ren to be safe, not witness abuse;
- Abuser may be using children as means to control victim; threatens victim to take children, report victim to child welfare
- Abuse may be happening to children - often disclosure occurs after parent leaves abusive relationship;
- Abuser often accuses victim for turning children against abuser,
- Wants children to have ongoing contact with abuser and have relationship with abuser perhaps in supervised setting to avoid abduction, manipulating children
- Children may not want a relationship with abuser



PROTECTION ORDERS



Domestic Violence Protection Orders Designed to:

- Promote victim safety and respondent accountability
- Inform judicial decision-making
- Promote consistent handling of civil protective orders and efficient use of court resources and other services as needed by victims
- DV courts and DV court dockets can develop policies to coordinate with needed services to provide safety to victims and their children, promote offender accountability such as implement firearm protections, and increase interaction with supervised visitation and exchange programs. (see below)



Protection Orders Defined

The full faith and credit provision of VAWA defines “protection order” as any civil or criminal restraining order, injunction, bail or release order, probation condition and all other orders for protection issued to protect victims of domestic violence, sexual assault, dating violence or stalking or to deter offenders from further violence or abuse. VAWA also encompasses protections contained in support, child custody, and visitation orders



18 U.S.C. 2265 (a)

Full Faith and Credit for Protection Orders

“Any protection order issued that is **consistent with subsection (b)** of this section by the court of one State, Indian tribe, or territory (the issuing State, Indian tribe, or territory) **shall be accorded full faith and credit** by the court of another State, Indian tribe or territory (the enforcing State, Indian tribe, or territory) **and enforced by the court and law enforcement personnel of the other State, Indian tribal government or Territory as if it were the order of the enforcing State or tribe.**”



Victim Safety Issues May Be Included in a Protection Order

- No violent acts
- No sexual assault
- No contact with the victim by any means, to include direct contact or contact through third parties
- No communication of any type, directly or indirectly, to include electronic contact and/or social media
- No threats
- List specific geographical limitations, locations and distance
- No stalking or tracking
- No harassment
- No engaging in any type of conduct that would place a person in reasonable fear of bodily injury
- Firearm prohibitions
- Other remedies may include:
 - Custody visitation, support
 - Pet safety
 - Rent, mortgage payment, utilities, car payment, insurance, day care, etc.
 - Other relief available by statute



Other Safety Needs to Assess

- Pet Safety – What will happen to your pet? Other caregivers? Do you have information on shots, medical information?
- Technology Safety – Does abuser have access to your phone computer, email, social media accounts, etc? These can all be used to track your location or harass you. Do you need a burner phone?
- Overall Safety Needs, other than physical safety – How has the abuser impacted you emotionally, mentally? Remember the medicine wheel.
- Children and family – What protections do your children need? What about in school and in other places? Do your children know the situation you are all in? How have they been impacted? Do they need a child advocate? Have they been abused?



Advocate's Role



Know the applicable laws



Possess knowledge on where to obtain protection order



Have familiarity with forms to be filled, filed, served

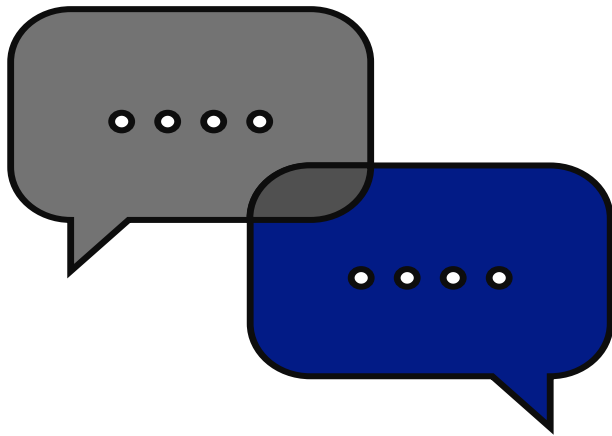


Share information with victim on process



Provide accompaniment

Discussion and Questions?



Thank you!!



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TLPI website www.Home.TLPI.org



Please Join Us for Upcoming Webinars!

May 20, 2026 *Walking in the Shoes of Victims: The Journey continues* 3rd in a three part series

In this webinar the facilitator will take participants on a walk-through of systems response to victims experiencing domestic violence and sexual assault. This webinar will focus on types of sexual assault and domestic violence and will identify legal needs and long term needs of victims and how advocates can assist victims with locating appropriate services, share benefits of securing legal assistance and how to work collaboratively with legal services. Participants will also discuss the importance of improving system response, through protocol development in domestic violence and sexual assault response.



For more information, please visit the project website:
www.TribalLegalAssistance.org



Tribal Legal Assistance Providers for Survivors

Welcome to Tribal Legal Assistance where we focus on promoting effective collaboration amongst victim advocates, lawyers, and lay advocates to advance trauma-informed, victim-centered, and culturally appropriate legal assistance service delivery to survivors on Tribal lands.

Request Individual TA Through the Project Website: www.TribalLegalAssistance.org



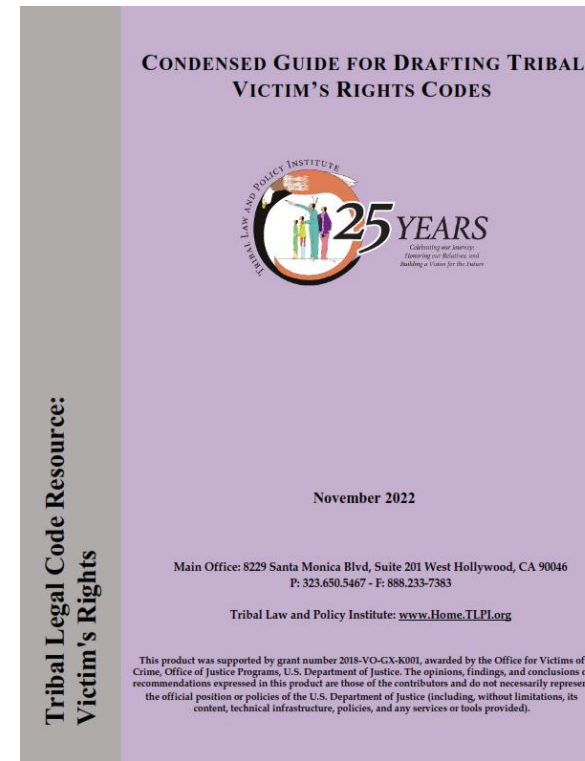
Other Ways to Request TA

There is no wrong door - you can also request individual TA by emailing or calling us



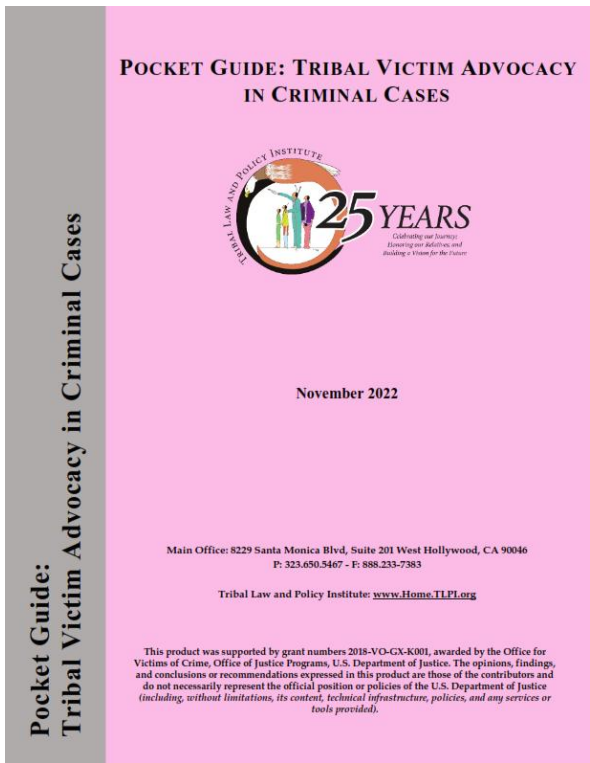
- Examples of Individual TA that you can request:
 - Assistance in finding a particular resource
 - Questions about individual cases/situations (but we can't give legal advice)
 - Examples of procedures, policy, or codes
 - Support developing procedures or policies
 - Support developing an MOU with an advocacy program, legal services provider, or others

Tribal Legal Code Resource: Victim's Rights, Condensed Guide For Drafting Tribal Victim's Rights Codes



Tribal Legal Code Resource: Victim's Rights, Condensed Guide for Drafting Tribal Victim's Rights Codes is designed to assist tribal governments with the development of victim right's codes. This resource was written with the belief that tribal governments have the ability to draft victim right's laws centered on their tribal beliefs that convey compassion for those harmed by crime and the importance of protecting the rights of victims, and to prevent revictimization.

POCKET GUIDE: TRIBAL VICTIM ADVOCACY IN CRIMINAL CASES



Pocket Guide: Tribal Victim Advocacy in Criminal Cases is designed particularly for community-based advocates as a quick reference guide to better assist victims as they navigate the criminal legal process. This Pocket Guide contains things such as a quick review of the general criminal legal process and victim rights with an emphasis on safety planning at every juncture. While this Pocket Guide is designed primarily for community-based advocates, it may be useful for other professionals who work with victims.

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Please complete the webinar evaluation using the link or QR code, thanks!



<https://www.surveymonkey.com/r/TLAPS-April152026>