#

#  GOVERNOR’S CRIME COMMISSION

#  FUNDAMENTAL SERVICE ELEMENTS

The Fundamental Service Elements (FSEs) are the minimum standards to which all domestic violence and sexual assault programs shall adhere in order to provide quality services for victims of domestic violence and sexual assault. In order to be eligible for Basic Services Funding from the Governor’s Crime Commission, programs should be in compliance with all FSEs – OR should use funding to bring themselves into compliance.

All programs are encouraged to continually evaluate and improve their services. The North Carolina Coalition Against Domestic Violence (NCCADV) Best Practices Manual, North Carolina Coalition Against Sexual Assault (NCCASA) Protocol for Assisting Sexual Assault Victims, Consensus Practices in the Provision of Services to Survivors of Domestic Violence and Sexual Assault, and the Guide to Achieving the Fundamental Elements of Accessibility reflect service delivery practices that programs should strive to provide. In order to provide the best services possible for victims, programs are also encouraged to use NCCADV and NCCASA for training and technical assistance. The NC Council for Women (CFW) provides technical assistance and training relative to the CFW state appropriated grant funding.

# Overall Criteria

Programs shall ensure that all survivors are served with respect, dignity and compassion. Empoweringi survivors and promoting survivor safety shall be the primary focus of all program services.

By NC General Statutes,1[[1]](#footnote-1) programs shall offer:

1. a hotline,
2. transportation services,
3. community education programs,
4. daytime services, and
5. call forwarding during the night.

NOTE: Victims of Crime Act (VOCA) formula funding does not support community education services. However, community outreach, where the purpose is to identify victims, is allowable.

Governor’s Crime Commission supported research[[2]](#footnote-2) shows that there are six (6) core domestic violence and sexual assault services, which are vital for helping victims:

1. Crisis Services and Telephone Hotlines
2. Legal and Court Advocacyii
3. Medical and Emergency Room Advocacy
4. Individual Counseling
5. Support Group Services
6. Shelter Services

Domestic violence and sexual assault affect people regardless of race, ethnicity, class, sexual and gender identity, religious affiliation, age, immigration status, and ability. Because victims may experience the abuse in culturally specific ways, service providers should consider the cultural background and the unique issues faced by the victim and their children in order to tailor services to meet their needs. Programs shall strive to provide the most effective services possible to persons from diverse populations iii, varied cultures, abilities, and backgrounds. Cultural competence is the process of responding respectfully and effectively to all people of diverse populations. When a program lacks specific skill, knowledge or experience with a particular population, the premise of non-judgment will guide services and clients shall also be offered the closest possible appropriate referral for culturally specific services. Programs shall provide services in the language appropriate, including sign language, to the victim, which may involve the use of interpreters. Services cannot be denied based on a client’s immigration status, mental or physical disability, age, gender identity or expression, race, creed, sexual and/or religious orientation or national origin.[[3]](#footnote-3) iv

Confidentiality is imperative for effective victim assistance. Victim service providers must ensure confidentiality to build and maintain trust of victims. Victim service providers should not share information concerning the identity of the victim (i.e., keep the victim’s identity confidential). Therefore, it is essential that victim service providers understand and abide by Federal and State laws[[4]](#footnote-4) related to persons accessing services and have written policies in place that govern the storage and maintaining of records, the disclosing of information, including the duty to report[[5]](#footnote-5) to various entities, and exceptions to confidentiality. In addition, victims shall be informed of the program’s confidentiality policy. Board members, volunteers, subcontractors, grantors, and staff shall sign a confidentiality statement affirming that they will keep all information about persons accessing services confidential.

# Fees

Programs shall not charge fees for Crisis Services and Telephone Hotlines, Legal and Court Advocacy, Medical and Emergency Room Advocacy, Support Groups and Shelter Services. Disability related assistance or accommodations shall be provided free of charge[[6]](#footnote-6). In compliance with Governor’s Crime Commission Federal Funding, programs are prohibited from charging for funded services.

# Community Outreach

Programs shall provide culturally and linguistically competent outreach to the community regarding domestic violence and/or sexual assault, including the distribution of appropriate written materials. Materials should be translated into the language spoken by the local population.

 **Training**

Programs shall adequately train all staff and volunteers appropriate to their role in the agency. This may be determined by the level of contact staff and volunteers have with persons accessing services. Programs should keep in mind that the safety needs, knowledge needs and options will be different for survivors of domestic violence, survivors of sexual violence, and survivors of both domestic and sexual violence. Program staff should receive in-depth training about crisis intervention and other service needs for the types of survivors with whom they work the most. In addition, providers should have general training about how to deliver crisis and other services to help survivors of all forms of violence because survivors of various types of violence may appear for services.

# Direct Services

# Crisis Services

Programs shall provide crisis intervention services to clients by telephone, computer or in-person. Crisis services are often the first point of engagement between the domestic violence or sexual assault agency and the survivor. Through the delivery of crisis services, survivors may become involved in other agency services such as support group, counseling and shelter. In addition to agency services, programs must have access to local community resources to provide clients.

# Telephone Hotline

Programs shall have a confidential crisis hotline that operates 24-hours-a-day, 7-days-a-week, 365-days-a-year. Hotline staff member or volunteers that work with the hotline must be trained to respond to the needs of callers including: assessing the caller’s immediate safety and need for emergency services; providing crisis intervention services; developing a safety plan; providing supportive listening; describing the agency’s services and providing information on available community services and resources.

During regular office hours, callers must have access to a trained advocate. While immediate response by a trained advocate at all times is preferred, programs may utilize answering services after regular business hours. At no time may calls be answered by an answering machine. If an answering service is utilized, the person answering the phone must clearly identify themselves as a representative of the victim service provider. Calls may not be answered by “211” or “911”. If answering services are utilized, a trained advocate must be able to safely connect with the caller within a maximum of one hour.

A business line voicemail system shall provide callers with the ability to directly connect to a trained advocate. The information on how to reach a trained advocate must be provided immediately upon reaching the voicemail system, not at the end of the message. It is recommended that the program utilize the services of the LanguageLine (1-877-886-385) in order to accept and assist foreign language callers and Relay NC to accept and assist callers who are deaf, hard-of-hearing, or deaf-blind using TTYs[[7]](#footnote-7).

# Legal and Court Advocacy

Legal and court advocacy are provided to improve the safety of survivors and their family members, help hold perpetrators responsible for the violence, and help assure that the justice system responds properly and with sensitivity to survivors.[[8]](#footnote-8) Programs shall offer survivors guidance and support to help them navigate institutional obstacles in the law enforcement and justice systems that may present barriers to their safety. Trained staff or volunteers will accompany clients to law enforcement interviews, meetings with district attorneys, and court proceedings.

# Medical and Emergency Room Advocacy

Both survivors of domestic violence and sexual violence may need to interact with the health care system for the collection of forensic evidence, treatment of assault-related physical injuries, testing and treatment for sexually transmitted diseases, and, if desired, the receipt of emergency contraceptive care as well as HIV post-exposure prophylaxis (PEP). Medical advocacy for victims includes, assisting in understanding options and making informed decisions about medical care, including forensic exams; information and resources regarding victim’s rights and options regarding follow-up services.

Emergency Room Advocacy: The program shall offer hospital accompaniment to all callers reporting a recent sexual assault. Programs will respond to a hospital emergency room’s request to provide a sexual violence staff member or volunteer within a reasonable amount of time. If the program does not have a hospital within the county it serves or if victims are usually taken to an out of county hospital for forensic exams, the program shall implement an agreement with the agency or program serving the hospital to refer clients back to their home program for follow-up support services.

# Individual Counseling

Individual counseling allowssurvivors to meet privately with a service provider to address the challenges that the survivors face in the aftermath of the assault. Programs shall use a licensed professional on staff to provide the counseling or refer the client to a licensed professional. Counseling service providers should be mindful that the quality of the service provider’s interaction with the survivor is of critical importance for the helpfulness of the counseling. Providers should be trained in and utilize counseling strategies such as active listening, encouragement, validation and reflection.

# Support Group Services

Support groups help survivors experience an environment in which they will find acceptance, empathy, and encouragement. In addition, survivors also learn from other survivors’ experiences with the violence to find role models (i.e., survivors who are farther away in time from the assault and who have made progress in their recovery efforts) for recovery. Programs shall provide or coordinate support group services. Clients must be able to access support groups services within 12 weeks of making the request. Support group facilitators should have adequate training and experience in working with the client population and equipped to provide information to attendees about other program, local and emergency resources.

# Shelter Services

Shelter services provide time-limited emergency residences for survivors and their children. Shelter services help women achieve safety and reduce violence in the short-term. Programs shall provide or coordinate emergency shelter for clients and their families fleeing violence. Shelters shall have written intake procedures for all victims of domestic and sexual violence, including procedures for ensuring safety for victims with mental or physical health concerns, substance abuse issues, adolescent male children, male victims, LGBTQ+, etc. If programs do not provide emergency shelter but coordinate emergency shelter with other agencies, written agreements shall be made that include referral procedures, transportation arrangements and coordination of services.

Programs shall provide for the basic needs of the client. Shelter service help survivors to access safety services (e.g. advocacy, legal, counseling services) as well other community services (e.g., health, financial, housing services). Shelter services may not be denied based on whether an individual sought a protective order or other legal remedy. Criminal background checks, drug and alcohol testing are not appropriate for victims seeking emergency crisis services and shall not be performed or used as criteria for admission to a crisis shelter.

Shelter shall have adequate security, including developing and implementing a security plan. Shelter shall be accessible or have an alternate accessible location for victims with disabilities.

# Transportation

Programs shall provide or coordinate with other community transport services, if available to provide clients transportation to access needed services. Needed services may include legal, housing employment, medical and government benefits. Programs are encouraged to network with community organizations such as law enforcement to develop and implement a plan for the transportation.

End Notes

i Empowering - a process of helping people to assert control over factors which affect their lives. Gibson CH. “A concept analysis of empowerment” *Journal of Advanced Nursing* Vol.16:354-361, 1991.

 iiAdvocacy – speaking and acting for change or justice on behalf of oneself or another person or cause.

iiiDiverse populations – people of any age, marital status, gender, education, sexual identity and orientation, cultures, race and ethnic backgrounds, religion or spiritual belief, socio-economic status, disabilities (physical, mental or emotional), residency, citizenship or immigration status, and with limited English proficiency.

iv Note: Although some protected classes are specifically cited with the applicable federal statute, the statute may also apply to all of the classes listed. In addition, this does not constitute an exhaustive listing of federal, state and local requirements.

v Program Services Staff - staff that is providing direct services to victims and their families as distinguished from other staff including, for example, administrative support staff. Program Services Staff is expected to receive higher levels of training on service provision to victims and their families than non- Program Services Staff. Job titles for Program Services Staff can differ from program to program and may include such titles as advocates, case managers, therapists, counselors, group facilitators, prevention educators, and crisis phone counselors.

vi Danger –risk of serious mental or physical health consequences or harm.

1. NC G.S. §50B-9(2), NC G.S. §143B-394.21(a) (2) [↑](#footnote-ref-1)
2. Consensus Practices in the Provision of Services to Survivors of Domestic Violence and Sexual Assault, A Reference for North Carolina Service Providers. Rebecca J. Macy and Dania M. Ermentrout [↑](#footnote-ref-2)
3. Title VI of the Civil Rights Act (Title VI) of 1964, as amended, 42 U.S.C. § 2000d, and the Department of Justice (DOJ) regulations at 28 C.F.R. pt. 42, subpt. C; the prohibition against disability discrimination contained in Section 504 of the Rehabilitation Act (Section 504) of 1973, as amended, 29 U.S.C. § 794, and the DOJ regulations at 28 C.F.R. pt. 42, subpt. G; the prohibition against age discrimination contained in the Age Discrimination Act (Age Act) of 1975, as amended, 42 U.S.C. § 6102, and the DOJ regulations at 28 C.F.R. pt. 42, subpt. I; and the prohibition against sex discrimination in education programs contained in Title IX of the Education Amendments (Title IX) of 1972, as amended, 20 U.S.C. § 1681, and the DOJ regulations at 28 C.F.R. pt. 54. [↑](#footnote-ref-3)
4. NC G.S. 8-53.12, VAWA Confidentiality Provision 34 U.S.C. § 12291(b)(2), 28 CFR 94.115 [↑](#footnote-ref-4)
5. NC G.S § 7B-301 [↑](#footnote-ref-5)
6. Guide to Achieving Fundamental Elements of Accessibility [↑](#footnote-ref-6)
7. Guide to Achieving the Fundamental Elements of Accessibility [↑](#footnote-ref-7)
8. North Carolina Coalition Against Domestic Violence Best Practices Manual [↑](#footnote-ref-8)