

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b>		
Standard Operating Procedures		
<b>Functional Area:</b> POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	<b>Reference Number:</b>  IQ01-0002	<b>Revises Previous Effective Date:</b>
<b>Subject:</b> CONTACT WITH VICTIMS OF FVIP PARTICIPANTS		NEW
<b>Authority:</b> DONALD	<b>Effective Date:</b> 1/15/05	Page 1 of  8

**I. POLICY:**

- A. Family Violence Intervention Programs (FVIPs) certified by the Department of Corrections (GDC) are designed to rehabilitate family violence offenders. In an effort to take reasonable precautions to also ensure victim safety, FVIPs are herein given reasonable notification that they must contact victims through a paid, subcontracted victim liaison in accordance with this SOP.
- B. The GDC Commissioner or his or her designee must approve any exception to this SOP. FVIPs must obtain written authorization from the Commissioner or his or her designee of any exception made to the policy stated within this SOP prior to acting upon such an exception.

**II. APPLICABILITY:**

All FVIPs certified by GDC to receive court-ordered family violence offenders.

**III. RELATED DIRECTIVES:**

- A. **O.C.G.A:** 19-13-10 et seq.
- B. **GDC-Rules:** 125-4-9-.04
- C. **Standard Operating Procedure:** IQ01-0001

**IV. DEFINITIONS:**

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 2 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

- A. **Victim:** the family or household member against whom the FVIP participant has committed, or is committing, acts of family violence.
- B. **Domestic Violence Organization (DVO):** a DHR-certified domestic violence shelter, or a GCFV-approved victim advocacy organization. The Domestic Violence Organization (DVO) must have By-laws and Articles of Incorporation that state that it is a non-profit organization that serves primarily battered victims and their children. The DVO must employ at least one designated and trained victim liaison capable of performing safety planning and assisting victims of FVIP participants.
- C. **Victim liaison:** An individual, employed and designated by a DVO, and trained in safety planning with family violence victims who is authorized in writing by a GDC-certified FVIP to contact the victim(s) of a program participant.
- D. **Family violence:** The commission of a felony or the offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, or criminal trespass between past or present spouses, persons who are parents of the same child, or other persons living or formerly living in the same household.
- E. **GDC:** The Georgia Department of Corrections.
- F. **GCFV:** The Georgia Commission on Family Violence.
- G. **Engagement:** When an FVIP participant signs an enrollment contract with the FVIP, the FVIP must fax or mail the DVO victim liaison a VICTIM CONTACT REQUEST FORM (Attachment 1) or its equivalent to the DVO victim liaison within five (5) working days, beginning on the day the participant signs his or her enrollment contract and ending at the close of business day on the fifth (5<sup>th</sup>) day unless that day is a holiday. In the case that the fifth (5<sup>th</sup>) day is a holiday, the VICTIM CONTACT REQUEST FORM (Attachment 1) is due at the close of the following

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 3 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

business day. This transfer of information constitutes engagement of the DVO victim liaison by the FVIP.

- H. **Fees:** The FVIP and the DVO will agree upon a flat fee to be paid by the FVIP to the DVO for each FVIP participant enrolled. This fee is applicable whether or not the FVIP participant identifies the victim and the victim's contact information to the FVIP.

**V. ATTACHMENTS:**

ATTACHMENT 1 - VICTIM CONTACT REQUEST FORM

**VI. PROCEDURE:**

Unless fulfilling the legal duty to warn a victim, or as otherwise allowed within this SOP, the FVIP must not have contact with victims of family violence.

- A. FVIPs have a legal duty to warn the victim of immediate danger.
1. Reasons to warn a victim may include, but are not limited to:
    - a. The FVIP participant threatened to harm the victim or self;
    - b. The FVIP facilitator's reasonable belief that the victim of an FVIP participant is in immediate physical danger.
  2. Victim contact by the FVIP must be limited to a brief description of the reason for concern and immediate referral to the victim liaison, 911, 1-800-33-HAVEN and the nearest DHR-certified domestic violence shelter. The FVIP must not provide any further advice or information to the victim;
  3. The FVIP must also immediately contact the victim liaison, the referring court, law enforcement, GDC's

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 4 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

Probation Division (if applicable), and the State Board of Pardons and Paroles (if applicable.)

B. The FVIP is required to contact the DVO Victim Liaison to communicate with the victim in the following situations:

1. Enrollment of Participant: When an FVIP participant signs a contract with the FVIP, the FVIP must fax or mail the DVO victim liaison a VICTIM CONTACT REQUEST FORM (see Attachment 1) or its equivalent within five (5) working days. FVIPs must forward the name of every FVIP participant and VICTIM CONTACT REQUEST FORM (Attachment 1) to the DVO victim liaison regardless of whether the FVIP participant or FVIP have identified the victim. A DVO victim liaison will then determine whom the victim is and call the victim to explain FVIP services and limitations, provide information about available resources, and provide safety planning information if appropriate.
  
2. Recent Acts of Family Violence: FVIPs are required to notify the DVO victim liaison if the victim calls to report any recent act of family violence, intimidation or abuse by the FVIP participant. FVIPs are also required to notify the DVO victim liaison if the FVIP participant self-reports any recent acts of family violence or arrests for family violence.
  
3. Leave of Absence Requests: FVIPs are required to consult with a DVO victim liaison before granting any leave of absence request by an FVIP participant.
  - a. Before Fourth (4<sup>th</sup>) Absence: GDC Rules require that an FVIP participant be terminated from an FVIP when four absences are reached unless a leave of absence request is approved in advance by the referral source and FVIP in consultation with a DVO victim liaison;

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 5 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

- b. Military Deployment: Once a soldier presents proof of deployment, the FVIP must notify the DVO victim liaison prior to granting approval.
4. Notification of an FVIP Participant's Termination or Completion from FVIP: FVIPs are required to use a DVO victim liaison to notify the victim when an FVIP terminates a participant from the program, when a participant terminates his or her own participation, and when a participant completes the program. Upon completion, the FVIP must fax or mail a VICTIM CONTACT REQUEST FORM (Attachment 1) or its equivalent to the DVO victim liaison. Upon termination, the FVIP must call and fax or mail a VICTIM CONTACT REQUEST FORM (Attachment 1) or its equivalent to the DVO victim liaison. The DVO victim liaison, upon notification of a participant's termination or completion, will initiate safety planning with the victim.
- a. Time Periods for Notification:
- 1) Termination or Completion: FVIPs must notify all referral sources, including the courts, GDC's Probation Division (if applicable), and the State Board of Pardons and Paroles (if applicable), and the victim (via the DVO victim liaison) within four (4) working days of a participant's completion of an FVIP, or within two (2) days of a participant's termination from an FVIP. Written Notification of completion should only include information related to attendance, payment of fees, and participation.
  - 2) Duty to Warn: FVIPs must immediately contact the victim directly, the DVO victim liaison, law enforcement, referring courts, the GDC's Probation Division (if applicable), and the State Board of Pardons and Paroles (if applicable) if a

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 6 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

participant has been terminated due to violence or threats of violence towards himself or the victim, or if the FVIP facilitator has a reasonable belief that the victim of an FVIP participant is in immediate physical danger.

- C. In addition to Required Victim Contacts, an FVIP may engage a DVO victim liaison to perform the following:
1. Victim Safety Checks: Victim safety checks are used to monitor participants' behaviors and to provide additional opportunities for the victim to engage in safety planning and receive referral and resource information. An FVIP may request a Victim Safety Check by faxing or mailing a VICTIM CONTACT REQUEST FORM (Attachment 1) or its equivalent to the DVO victim liaison. Victim liaisons may also initiate a Victim Safety Check at their own discretion. Any sharing of information from a Victim Safety Check with the FVIP must be done in accordance with E3 below.
  2. Consultation and Feedback: An FVIP should invite the DVO victim liaison for a site visit, class observation, and training on the FVIP's curriculum if the DVO victim liaison is not already familiar with them. DVO victim liaisons may also provide consultation and feedback for facilitators on victim safety issues.
- D. Best Practices Model: FVIPs are encouraged to follow the Best Practices Model. FVIPs that follow this model will utilize the nearest DHR-certified shelter as their DVO, preferably in the county in which the victim lives. In addition, FVIPs that follow this model and operate in multiple jurisdictions will utilize each DHR-certified shelter serving the areas in which their FVIP operates.
- E. Procedures for Maintenance and Exchange of Information:
1. No Confidentiality for FVIP Participants: FVIPs are expected to share information about the FVIP

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 7 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

participant with the DVO victim liaison and answer a DVO victim liaison's questions about the FVIP participant's behavior. As a condition of participation in an FVIP, participants sign a release of information form authorizing FVIPs to release information to GDC, DVO victim liaisons, and all referral sources.

2. Notice of Contact: FVIPs must inform participants that the Georgia Department of Corrections requires that a DVO victim liaison contact their partner or ex-partner. Neither the FVIP, participant, nor partner can waive this requirement.
3. Confidentiality for Victims: The DVO victim liaison must not share information from the victim with the FVIP except through the process below. Thus, a DVO victim liaison may know who and where the victim is even if the FVIP does not know.
  - a. General Information: A DVO victim liaison may discuss general domestic violence information with FVIP facilitators to be used to design the class agenda. A DVO victim liaison has discretion in the amount and content of general information shared with the FVIP based on her understanding of victim safety.
  - b. Written Permission: The DVO victim liaison may not share with the FVIP specific information that could be attributed to a particular victim unless the victim has given written permission stating:
    - 1) the specific details to be shared;
    - 2) the individuals with whom the details may be shared;
    - 3) the purpose of this sharing; and,

Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 8 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

4) that the victim and the DVO victim liaison have engaged in specific safety planning related to this sharing.

c. Three-way Call Option: In lieu of written permission, the DVO victim liaison may initiate a three-way call that includes the victim, DVO victim liaison and the facilitator provided that safety planning for the call has already been performed with the victim and that the DVO victim liaison documents the specific details the victim authorizes disclosure of.

4. Maintenance of Written Records:

a. FVIP Records about Victim: FVIPs must maintain detailed victim information obtained from the FVIP participant, court, police report, TPO or other sources only for the purpose of transferring that information to the DVO victim liaison. The FVIP must retain only the minimum amount of information necessary to warn the victim in case of immediate danger.

b. FVIP access to Victim Liaison Records: DVO victim liaisons must not share their written records with FVIPs.

c. Storage of Records: All DVO victim liaisons must store their written records at the DVO for timely access by any victim liaison or other DVO staff if necessary, or destroy them in accordance with the DVO's recordkeeping policies.

F. Record Monitoring: The FVIP must maintain copies of each of the following documents and provide them for inspection by GDC if requested:

1. Victim Contact Request Forms: Mailed or faxed by the FVIP to the DVO victim liaison at the initiation and completion or termination points for each FVIP



Functional Area:  POLICY & EXECUTIVE PROCEDURE - FAMILY VIOLENCE INTERVENTION PROGRAM	Prev. Eff. Date:  NEW	Page 9 of  9
	Effective Date:  1/15/05	Reference Number:  1Q01-0002

participant, and any other instance required by this SOP;

2. Verification: FVIPs are responsible for verifying that DVO victim liaisons are receiving all required VICTIM CONTACT REQUEST FORMS on a regular basis.
  3. Contract: Maintained between the FVIP and the DVO for services provided by the DVO victim liaison; and,
  4. DVO's Articles of Incorporation and By-laws: DVO must be willing to share these documents if requested by GDC.
- G. Gender of Victim Liaisons: If a victim requests that the DVO victim liaison be of the same gender as the victim, the FVIP must make reasonable efforts to accommodate that request.