

ROI TIP Sheet:

For review with sample DVOMB Authorization for Release of Information (ROI) Forms:

The goal of contact with victims by victim advocates is primarily to offer information, not to seek information. Victim safety should guide all decisions regarding the sharing of her/his information. Releases must be voluntary, informed, written, and reasonably-time limited and that it is important to honor the victims' rights to control their own information.

- 1) Victim advocates can customize the Sample Release of Information (available on DVOMB website) with their agency/contact information. Various pieces of victims' rights/HIPPA information can be utilized in your own Release of Information, based on your needs and the needs of victims. The sample forms provide the basics for developing ROI's.
- 2) **Remember, it is her/his information; it is her/his choice.** Victims have rights and choices. Consent must be informed and a signed release is needed in order to proceed with specific information sharing on behalf of a victim, except consent may be verbal for purposes of sharing information with the DV treatment provider by the treatment victim advocate. The victim is the one who ultimately decides what information will be shared, and with whom. Ideally, the process of informed consent and releases of information should be handled in-person with victims; however, releases might be faxed, emailed or mailed, depending on the circumstances and the technology available to advocates and victims. Releases of information that are sent to you by a victim should be verified by phone for authenticity. Information that is important to ensuring informed consent includes:
 - The rights of victims to be informed of any statutory or court mandates that may require the release of her/his information (such as mandated child abuse reporting requirements).
 - The rights of victims to have the advocate/advocacy agency take steps to protect her/his safety and privacy.
 - The rights of victims to only have their information shared by the DV treatment victim advocate or the DV treatment provider with the offender, probation, other members of the MTT, etc. when s/he signs a release that is voluntary, informed reasonably time-limited, and specifically authorizes the sharing of her/his specific information with each specific individual or agency.
- 3) When discussing Releases of Information with victims, it's also important and a good opportunity to review the limitations of confidentiality among different types of advocates (or entities that information is being released to):
 - A DV treatment provider advocate is required to maintain the confidentiality of the victim's information and needs informed consent through a release of

information from the victim to share any information with the various members of the Multi-disciplinary Treatment Team (or other individuals or agencies), who should each be specifically listed in the release. *For purposes of information sharing between treatment victim advocates and DV treatment providers, see number two above.*

- Victim services in probation do not offer confidentiality to victims and any information shared by a victim can be shared with a probation officer and could be used in the criminal case.
- Court advocates and law enforcement advocates also do not offer confidentiality, as any information they are made aware of could be used in the criminal case.
- Non-systems advocates, such as community-based, non-profit domestic violence or sexual assault advocates and other program staff, **do** have confidentiality and would not share information with any entity except through informed consent of the victim or unless mandated by law or court order.

END of ROI Tip Sheet