

CONFIDENTIALITY SCENARIO #1

You are a volunteer for the District Attorney's Victim Assistance Program. As a volunteer you have access to all files and reports in the prosecutor's office. You have been working with a victim and their family on a case that has generated a lot of community interest. Someone trespassed on the victim's property and placed a poisonous substance in their well. The case is scheduled for Grand Jury next week. The victim is a person who has been very outspoken in the community about his liberal views on political matters. The community grapevine has been running rampant with speculation as to who committed the crime, was the crime political in nature, what the consequences should be. While you are at your monthly Bunco game you are cornered by several interested friends asking for clarification of facts. You are amazed at the amount of information the general public is aware of, but some of their information is way off base. WHAT DO YOU DO?

- A. Tell your friends that although part of their information is correct, you can't tell them anything further, but if they check back in a week you will tell them what is public information.
- B. Tell your friends that all information you work with in the DA's office is confidential and you will not clarify or provide information on a case.
- C. Tell you friends that you work with confidential information and will not provide them with facts about the case, but in an effort to curb the rumors you inform them that part of their information is incorrect.

CONFIDENTIALITY SCENARIO #2

You are an advocate for the District Attorney's Victim Assistance Program. Your case load is comprised principally of domestic violence cases. You have been working with a mother with two small children whose partner was arrested over the weekend on an Assault IV Domestic Violence felony case. During the altercation the mother was holding their youngest child, age 4 months, and the child ended up with a cut on the forehead requiring stitches. During your first visit with the mother you made a referral to the local non-profit agency. The visit took place at the hospital after hours and you provided the victim with information on the 24-hour hotline number and contact information for the non-profit, but you did not have a non-profit advocate at the hospital to make an introduction. You have mailed a release for the victim to sign allowing you to share information with the non-profit, but you have not received it back. The non-profit advocate calls you to request a phone number for the victim. The advocate is attempting to arrange transportation for the mother to get the child back to the doctor for a follow-up exam that is scheduled for that afternoon. The victim had mistakenly provided them with her old cell phone number and it is no longer in service. WHAT DO YOU DO?

- A. Tell the non-profit advocate that you will contact the victim and have her call them back with a current phone number.

- B. Provide the requested phone number because it is obvious that the victim has contacted the non-profit because they have her name and information about the child's injury.
- C. Ask the non-profit to fax you a copy of a signed release listing your agency and then provide the requested information.

CONFIDENTIALITY SCENARIO #3

You are an intern working with the District Attorney's Office. You have been assisting the District Attorney with research on a drug case. You have learned a great deal from watching the DA organize and work the case; starting with advising LEA during the initial investigation and the preparing and conducting a search warrant, grand jury presentation, motion hearings, and negotiations between the attorney's. Two weeks ago the DA and the defense attorney worked out a plea offer that included the defendant cooperating with LEA during the investigation of a local drug dealer. The case is scheduled for entry of plea later today in Circuit Court. You are finishing some paperwork and answering phones while the DA is in court and the legal assistant is on break. You receive a phone call from the local newspaper asking pointed questions about the case and the plea offer. WHAT DO YOU DO?

- A. Confirm only what the newspaper already knows, and tell them you will leave a message for the DA to call them back with additional information.
- B. Respectfully provide them with the date and time of the court appearance and provide them with the name of the media contact within the DA's office.
- C. Since the case is going to court today, provide the general conditions of the agreement, withholding information about the agreement between the defendant and LEA.

CONFIDENTIALITY SCENARIO #4

You are the director of the Victim Assistance Program. You work on several multi-disciplinary teams in the community. Everyone attending the meeting signs a confidentiality agreement stating that they, the attendee, have a legitimate interest in the delivery of services to the people discussed and that all information discussed at the meeting will remain confidential. Today while attending the SART (Sexual Assault Response Team) someone in the meeting requested to add a name to the agenda. They had heard rumors that this person had been sexually assaulted and wanted to know if services were being provided. You had been called to the hospital by a SANE (Sexual Assault Nurse Examiner) earlier in the week to talk with the woman being added to the agenda. This woman and gone to the hospital because she had been sexually assaulted. She wanted the SAFE (Sexual Assault Forensic Exam) conducted, but she didn't want to report to LEA. You sat through the exam with the victim and the SANE sent the evidence to LEA for storage, identified by a number only. You had talked with the victim about several

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of the agencies represented at the meeting and the services they could provide, but the last time you talked with the victim she still wanted to remain anonymous and did not want to access services. WHAT DO YOU DO?

- A. Share that you are working with the woman and that you have provided her with information on services available.
- B. Remain silent.
- C. Discuss the case with SART members and glean ideas on how you can encourage the victim to access services.

CONFIDENTIALITY SCENARIO #5

You are an advocate for the District Attorney's Victim Assistance Program. You have been working with a father whose 12 year old son was killed two weeks ago by a drunk driver. The 12 year old was an only child and his mother had died of cancer a year and half ago. You have spent quite a bit of time with the father, helping him apply for funeral benefits through Victims' Compensation, talking with him about the court process and providing emotional support. During one of your conversations about local resources he shared that he was already seeing a mental health counselor, but you do not have a release of information signed. Today he dropped by your office to talk about Grand Jury, which is scheduled for later this week. During your conversation he begins talking about how lonely and depressed he has become since the funeral. He tells you that he found a left over sleeping pill prescription of his wife's and he has been thinking about how easy it would be to take the entire bottle and join his family. WHAT DO YOU DO?

- A. Use your crisis intervention techniques and talk him through the crisis.
- B. Call mental health and make arrangements to accompany him to their office so he can talk with a counselor or arrange for a crisis counselor to come to your office to talk with the father.
- C. Ask him to sign a release for mental health and then call and arrange an appointment with his counselor.

CONFIDENTIALITY SCENARIO #6

An advocate is working with a 16-year-old victim of sexual abuse, who is legally blind. The offender, a 28-year-old male, met the Victim on-line, and then traveled across several states to meet the Victim in person. The Victim's mother works nights and sleeps during the day. The father does not live in the home. The Victim is the only child in the home which is situated in a

relatively rural area. She rides a special transportation bus to and from school which could possibly be terminated because of lack of funding. The Victim complained to the Advocate that the school's Disability Resource Director does not seem to appreciate the added emotional stress and fear caused by the sexual abuse and the criminal justice proceedings. The Victim had expressed need for certain home security devices, such as better locks and flood lighting, to help her feel safe in the home while her mother is at work. In addition, although the family's finances are extremely limited, the Victim would like to have a computer that is adapted to her special needs so she can continue her education on-line. There are many agencies in the community that could provide resources.

WHAT DO YOU DO?

- A. Tell the Victim about resources that may be available to her, and tell her to contact the agencies directly.
- B. Contact the School Resource Officer and ask her to be more compassionate and helpful to the Victim.
- C. Obtain a release of information form from the Victim, listing all the agencies that may have resources, and then work with the Victim to make contact with those agencies, providing the necessary information about the Victim that would assist the agency in determining if they are able to provide services.

Answer Key: 1-B; 2-A; 3-B; 4-B; 5-B; 6-C