

## For Advocates: Using Technology During the COVID-19 Pandemic

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#### **OVC** Disclaimer Language

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#### Safety Net Project

- Address intersection between technology and abuse.
- Provide technical assistance and training to advocates, law enforcement, legal services, social services providers, and survivors.
- Advocate with policymakers and technology companies.



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SAFETY NET

Digital Services	NNEDV		
Using tech-based tools to provide services to survivors.	-		
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Examples of Digital Services	NNEDV		
Adding text or online chat to your hotline.			
<ul><li> Video calls with survivors.</li><li> Video or web chat for support groups.</li></ul>		-	
Email or text (caution).			
		-	
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All Tools Have Risks	**************************************		

- Even older technologies have risks.
- Advocates should be able talk about those risks with survivors.

Safety & Privacy Risks	**************************************
1. Interception	
<ul><li>Personal Safety</li><li>Loss of Privacy</li></ul>	
2. Impersonation	
Program Confidentiality	-
4. Advocate Safety & Capacity	
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The Bottom Line	·
	DV
Offering additional communication options	
is crucial to survivor-centered services.	
AND, it must be done with caution.	
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Staving True to Carra Values	
Staying True to Core Values	
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#### Support & Access

- Meet survivors where they are chat, video, text, etc.
- Offer tools to meet accessibility needs.
- Offer tools with low tech barriers to access.
- Provide information so survivors can choose.

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#### Anecdotal Info from Hotlines

- Text & chat conversations tend to be longer in duration.
- Long pauses are normal with text and chat.
- Text & chat tend to have more numerous and graphic disclosures.
- The survivor may just stop communicating.

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#### **Privacy & Safety Options**

- · Anonymous use.
- No traces on survivor's device or accounts.
- Company can't see info about survivors or content of conversations.
- "HIPAA Compliant" is not enough.

#### Stay True to Core Values

- Just because the tech makes something possible, doesn't mean we should do it.
- Tech that is OK for our families or workplace is not necessarily OK for survivors.
- Use any new digital service temporarily reassess once the pandemic has passed.

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#### **Digital Services Best Practices**



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#### Best Practices - Safety Planning

- Talk to survivors about risks.
- Plan for safety and privacy.
- Make sure it's still safe to contact.
- If the survivor suspects monitoring, offer options, but if they still want to continue, respect that wish.

#### Best Practices - Data & Devices

- Use agency owned devices & accounts.
- Collect the least amount of information needed to provide the service requested and keep that information for as short a period of time as possible.
- Do not collect more information than you would for a traditional hotline call or inperson conversation.

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#### Chat or Text Based Communication: An Overview

- Silent communication.
- · Helpful for people with specific accessibility needs.

Concerns:

- Details of the conversation are stored.
- Potential impersonation or interception.
- Default settings may not protect privacy.

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#### Nuances of Communicating via Text & Online Chat

- Can be easily misunderstood.
- Challenging to assess emotion and tone.
- Stop and clarify if there is any confusion.
- Avoid Internet slang, acronyms, and emojis.
- If the conversation drops, consider closing the chat after a certain amount of time.

#### Video & Audio Based Communication: An Overview

- Can make interaction feel more personal.
- May be helpful for people with specific accessibility needs.
- Decreased risk of impersonation.

#### **Concerns:**

- May be overheard by others.
- · Default settings may not protect privacy.

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#### **Chat-Based Services**

- "Online chat" is browser-based.
- Chat started via link on the program's website.
- Some platforms close the chat window on the survivor's device automatically.

#### Concerns:

- Some platforms allow chat messages to be saved or copied turn these features off!
- Know how the chat web address will look in the survivor's web browser & strategize.

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#### Texting & Messaging

• Cell based texting & instant messaging apps.

**Best Practice:** Discuss safety issues related to texting and offer other options.

- Include a written record.
- Conversations saved by default on phones and accounts, numbers seen in phone bills.
- Risk of impersonation (develop code words / phrases).

#### Texting & Messaging Strategies

- · Delete message history.
- Don't save contacts.
- Remember cloud accounts.
   iCloud, Google, etc.
- Offer more secure options.
- Check in regularly to make sure it is still a safe method of communication.
- If there are worries, discuss other options phone, video.

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#### Video Calls

- Offers visual and audio cues.
- Talk with directors about how to add in a third party, including live interpreters for:
  - Survivors who are Deaf or hard of hearing, and
  - Survivors who speak a different language than the advocate.
- Communicate in private spaces & use sound machines.

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#### Phone Calls

- Communicate in private spaces & use sound machines.
- Talk with directors about interpreters and relay calls.

#### **Email**

- Can be easily intercepted.
  - Abusive person may know account password.
  - Abusive person may have access to devices.
- Is saved by default in many places.
- Is often backed up on servers, and synced across devices through the Cloud.

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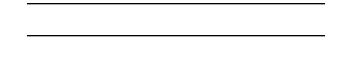
#### Online Groups - Considerations

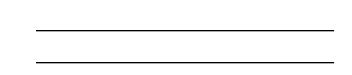
- Should be limited to survivors and the group facilitator.
- By limiting participation to only survivors already working with the program, you can:
- Ensure members are well-suited for the group.
- Minimize the risk of impersonation.

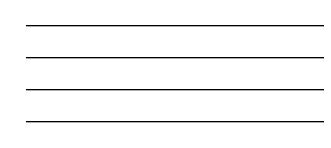
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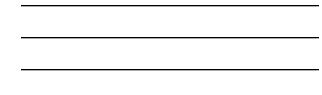
#### Support Informed Choices

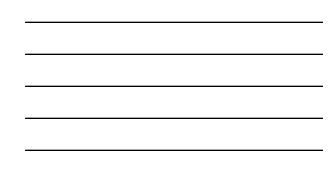
- Share information at the beginning of each text or chat conversation.
- "Canned" messages: keep the language short, meaningful, and in plain language.
- Give survivors a chance to ask questions.









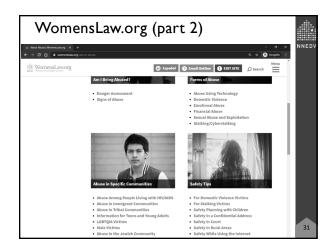


# Considerations from a Legal Perspective

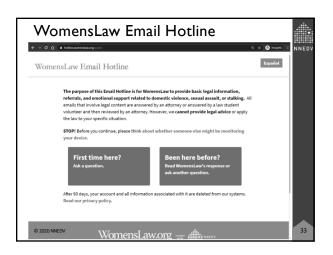
#### The Law & Written Communication

- Introduction to WomensLaw.org.
- The importance of considering language in written communication.
- Specific "do's and don'ts."











The Importance of Considering  Language in Written Communication	NNEDV
In written communications, you want to be more aware of your language so that you don't open yourself up to liability.	
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## The Benefits of Delivering Services in Writing vs. Phone or In-Person

- When you are writing to clients, you can allow yourself more time to review what you wrote and make any necessary changes.
- By laying out options and safety planning with your clients in writing, this better serves clients who are in the midst of trauma. They can refer to it later once the trauma subsides when they are more capable of taking it all in.

## What Does the term "Unauthorized Practice of Law" Mean?

- Unauthorized = unpermitted, not allowed.
- Practice of law = doing tasks/actions that a lawyer would do:
  - a) Advising client on best course of action to take.
  - b) Representing client in court/speaking for client.
  - c) Giving legal advice (as opposed to legal information).
  - d) Application of the law to the specific facts of your client's case.
  - e) Drafting legal papers, motions, petitions, affidavits, etc.

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#### Key Phrases Non-Lawyer Advocates Should Try Not to Use

#### Stay away from writing:

"You should..."

Example: "You should keep your child home from the court-ordered visit because of the risk of spreading coronavirus to your elderly mother."

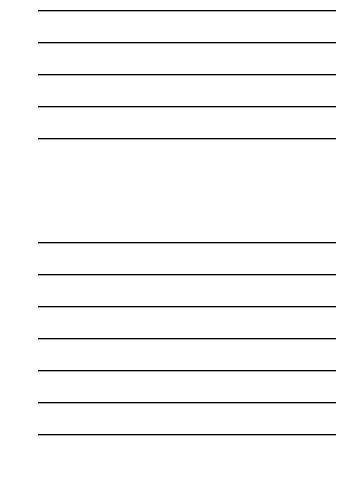
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#### Key Phrases Non-Lawyer Advocates Should Try Not to Use (part 2)

#### Stay away from writing:

"The best thing for you to do is..."

Example: "You weren't properly served with custody papers that your child's father filed, and so the best thing for you to do is not appear in court."



Key Phras	es Non-Lawye	r Advocates
Should Try	Not to Use (	part 3)

#### **Stay away from writing:**

"The law won't apply to your situation because..."

Example: "It's OK to go into hiding with your kids. The parental kidnapping law won't apply to your situation because you are not taking them out of state."

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## How to Best Frame Options and Information for Your Client

- You don't need to change how you provide emotional support and referrals.
- Make clear in your written response: "I
   can't tell you what to do or what is best for
   you. I will help you think through possible
   options, and help brainstorm potential pros
   and cons for each option, but the ultimate
   decision is yours."

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## How to Best Frame Options and Information for Your Client (part 2)

- If you want to include legal information:
  - Link them to self-help guides on your state courts website.
  - Link them to online brochures or materials from your local legal services website.
  - If neither of those exist, call your local legal services or your state coalition attorney to say "I am getting lots of emails and chats about X. Can you help us put together an FAQ that I can send to my clients?"
  - Link them to WomensLaw.org for detailed state-specific info.

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## Reminder: It's Important to Set Boundaries with Remote Work

#### Ideas to separate home and work:

If you have a designated home office, close the office door, turn off the lights, and pull down the shades when your shift is over.

If you don't have an office, turn off your laptop and phone; put them in the closet, under the couch, or out of sight.

Only get calls forwarded to your personal cell phone during your work hours. Turn off call forwarding when the "workday" is over.







