

## **Survivor Empowerment and Access Louisiana (SEAL)**

### **Addendum to the Collaborative Charter**

The Survivor Empowerment and Access Louisiana (SEAL) Collaborative began its work in October 2008 comprised of two agencies – the Advocacy Center (AC) and the Louisiana Foundation Against Sexual Assault (LaFASA). We developed our Mission and Vision, discussed common Values, and initiated the processes by which our Collaborative Charter was formed. During the course of our work, we recognized the need to add an additional partner to the collaborative effort. In keeping with the guidelines developed by the Office on Violence Against Women (OVW), SEAL recognized that the new partner would need to be:

- A state-wide organization/agency that had policy-making authority at the local level;
- A state-wide organization/agency that had a deep commitment to serving people with disabilities who had experienced violence;
- A state-wide organization/agency that had resources (particularly staff members) who could commit to playing an active role in the work of the SEAL; and
- A statewide organization/agency that was committed to making viable, systemic change.

Based upon this criteria developed, only one group emerged – Adult Protective Services (APS). After much discussion, including conversations with the Vera Institute of Justice technical assistance provider and the program manager of OVW, APS was approached by the SEAL project manager regarding inclusion into this project.

The SEAL collaboration added a new partner agency, Adult Protective Services (APS) to the collaboration in August 2009. SEAL is fortunate to have procured the complete commitment from our new collaborative partner and it is the director of APS who shares the collaborative table with us at our many meetings both in Louisiana and at the all-site visits facilitated by VERA. Subsequent to this addition, SEAL spent time revisiting previous conversations and agreements that The Advocacy Center and LaFASA had agreed upon and memorialized in the SEAL Collaboration Charter. The information we shared about our respective agencies and our experiences led to a deeper understanding for each partner of each agency and their respective values/ roles, and needs which will assist us as we continue to work toward true systemic change that will last beyond the work of SEAL. We fully discussed each element of the Charter and clarified information to the point that SEAL believes that LaFASA, AC and APS are fully aligned.

SEAL specifically looked the issues of mandatory reporting and confidentiality. This addendum serves to memorialize that our new partner, APS, is in agreement with all of the expectations and commitments put forth in the Charter. There are a number of considerations that SEAL had previously discussed and decided that we revisited with APS. In addition, we spent time reviewing and analyzing different case scenarios among ourselves, and with our TA provider, to ensure that our collaboration was prepared, in a proactive way, to move into the next phase of the project and be appropriately responsive to any unforeseen challenges. Some of the questions we discussed regarded confidentiality including the following:

- What are the confidentiality requirements for APS staff?
- What is APS' expectation of LaFASA and Advocacy Center related to confidentiality?
- Will they be able to agree to the confidentiality process the Advocacy Center and LaFASA developed? If not, what compromises will be necessary?
- What exceptions are there in the APS law?

APS records are confidential. The content is released only under specific circumstances, such as consent of a capacitated client or a court order or referral to a service agency for the client's benefit. Confidentiality, as defined by APS has to do with releasing the contents of APS investigation files.

Some of the questions we discussed regarding mandatory reporting included the following:

- What is APS role/position as it relates to mandatory reporting? What is their organization's process in regards to mandatory reporting?
- What is APS' expectation of LaFASA and Advocacy Center related to mandatory reporting?
- Can they agree to the process that LaFASA and Advocacy Center created? If not, how can the difficulties be addressed?

APS investigates allegations of abuse, neglect, exploitation or extortion, which are reported to the agency. APS has an intake unit, but is not staffed to do outreach, so APS is not able to look for unreported cases. During investigations of reported cases, APS is mandated by state law to report to law enforcement any allegation made to APS that involves physical or sexual abuse. Mandatory reporting is defined in the criminal code of the Louisiana statutes and is a law enforcement issue.

Since neither APS, LaFASA nor the AC is a law enforcement agency, no member of the collaborative is in a position to enforce the mandates We agreed that we will inform participants in the program of the reporting requirements and suggest that someone with knowledge of a reportable situation contact the appropriate agency as defined by

law. SEAL hopes, that through this collaboration, and the training opportunities it will provide, that the agencies involved will become more aware of the requirements to report abuse, neglect, exploitation or extortion of adults with disabilities and make the necessary referrals or encourage their clients to self report.